

will be responsible for AICUO's affiliate member program, inter-college collaborations, events and educational programming, and the expansion of the group's member energy conservation and sustainability initiative.

Buckeye Institute: Daniel J. Dew has joined the staff of the Buckeye Institute for Public Policy Solutions as a full-time Criminal Justice Fellow, the group announced.

A published author on criminal justice issues and a former Visiting Legal Fellow at The Heritage Foundation in Washington, D.C., Mr. Dew will focus on efforts to revise Ohio's criminal code and updating the state's civil asset forfeiture law, among other things, according to the institute.

"Daniel is a national expert on criminal law, and we are pleased to bring him on to expand Buckeye's capacity to formulate sound criminal justice policy for Ohio that can be easily replicated in other states," institute President and CEO Robert Alt said in a release.

HPIO Hire: Former state employee Rebecca Sustersic has been hired as a policy analyst with the Health Policy Institute of Ohio, the group announced recently.

Reem Aly and Amy Bush Stevens have been promoted to vice president and Sarah Bollig Dorn has been promoted to manager, Health Policy and Education, the group said.

Ms. Sustersic was previously employed at the Ohio Bureau of Workers' Compensation for three years, first as a health care policy analyst and more recently as manager of medical reimbursement and coding policy, according to HPIO. She holds degrees from Ohio State University and Bowling Green State University. Ms. Sustersic also served as a Legislative Service Commission fellow in 2009.

Gongwer Statehouse Job Market Updated

Gongwer's Statehouse Job Market has been updated. The update is available on the Gongwer website.

Subscribers interested in posting job openings on Gongwer's employment board can send job descriptions and other information to gongwer@gongwer-oh.com.

Supplemental Agency Calendar

Tuesday, February 23

Racing Commission, 77 South High St., Room 1960, Columbus, 10 a.m.

Thursday, February 25

Ethics Commission, Rm. G, 3rd Fl., 30 E. Spring St., Columbus, 12 p.m.

Supplemental Event Planner

Tuesday, February 23

Quinnipiac University to release poll of Ohio likely voters on presidential primary
Ohio senators, faith leaders, others
news conference on ending "pregnancy discrimination", Press Conf. Rm., Statehouse,
Columbus, 11 a.m.

17 S. High St., Suite 630

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Scott Miller, President | Alan Miller, Vice President | Kent Cahlander, Editor | Melissa Dilley,
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House Activity for Monday, February 22, 2016

INTRODUCED

HB 471 ■ **COMMISSION ELIMINATION** (Brown, T.) To formally abolish certain boards and commissions that have completed their work and to abolish the Compact with Ohio Cities Task Force.

HB 472 ■ **RENEWABLE ENERGY** (Strahorn, F.) To unfreeze the requirements for renewable energy, energy efficiency, and peak demand reduction, to permit changes in and Public Utilities Commission action on electric distribution utility portfolio plans in 2016, to revise the setback requirement for economically significant wind farms, and to repeal the setback requirement for wind farms of fifty megawatts or more.

CALENDAR FOR COMING SESSION

SB 124 ■ **AWARENESS DAY/MONTH** (Thomas, C.) To designate May as "Asthma Awareness Month" and to designate May 5 as "Childhood Asthma Awareness Day."

HB 241 ■ **MONTH DESIGNATION** (Grossman, C., Curtin, M.) To designate the month of September as "Hunger Action Month."

HB 290 ■ **TERMINAL PATIENTS** (Sprague, R., Anielski, M.) To permit a physician to treat a terminally ill patient with a drug that is not approved by the United States Food and Drug Administration and permit a drug manufacturer to provide such a drug to the patient or physician.

HB 305 ■ **RETIREMENT SYSTEMS** (Schuring, K.) To include new nonteaching employees of The University of Akron as members in the Public Employees Retirement System and to make an appropriation for the University's School Employees Retirement System employer surcharge payments.

HB 325 ■ **DRUG ADDICTION TREATMENT** (Green, D., O'Brien, S.) Regarding encouraging pregnant women who are addicted to controlled substances to seek treatment.

HCR 21 ■ **DD EMPLOYMENT SERVICES** (Romanchuk, M., Antonio, N.) To urge the Congress of the United States to request that the federal Centers for Medicare and Medicaid Services revise its guidance on employment services for individuals with developmental disabilities to maintain their right to participate in programs offered by facility-based day programs, training centers and sheltered workshops.

SIGNED BY THE GOVERNOR

HB 294 ■ **ABORTION** (Patmon, B., Condit, M.) To require the Department of Health to ensure that state funds and certain federal funds are not used either to perform or promote nontherapeutic abortions, or to contract or affiliate with any entity that performs or promotes nontherapeutic abortions; to provide for health departments and WIC clinics to determine presumptive eligibility for pregnant women and children; and to allocate existing funding within the Ohio Department of Health's budget to the Ohio Association of Community Health Centers for safe sleep, birth spacing, and smoking cessation initiatives.
(Enacted)
Signed: February 21, 2016
Gongwer Coverage

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Senate Activity for Monday, February 22, 2016

SENATE PRESIDENT'S APPOINTMENTS

Legislative Committee on Public Health Futures: Appoint Sen. Yuko and Carla Hicks

Capitol Square Review & Advisory Board: Appoint Sen. Peterson to replace former Sen. Widener

Sunset Review Committee: Appoint Sen. Coley to replace former Sen. Widener

SIGNED BY THE GOVERNOR

SB 260 ■ **CAPITAL REAPPROPRIATIONS (Coley, B.)** To make capital
(Enacted) reappropriations for the biennium ending June 30, 2018.
Signed: February 21, 2016

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Daily Activity Planner for Tuesday, February 23

Legislative Committees

House Local Government (Committee Record) (Chr. Anielski, M., 644-6041), Rm. 018, 9 a.m.

- HB 455** **BOARDING SCHOOL ZONE** (Patterson, J., Roegner, K.) To authorize a municipal corporation or township to establish a boarding school zone and a special speed limit within that zone. (1st Hearing-Sponsor)
- HB 407** **BODY CAMERAS** (Boyce, K., Grossman, C.) To require law enforcement agencies that use body cameras to adopt written policies for operation of the cameras and to require agencies to make the adopted policies available to the public. (2nd Hearing-Proponent)
- HB 361** **COMMUNITY EVENT FUNDING** (Brenner, A.) To authorize boards of township trustees and boards of park commissioners to expend funds for the public purpose of presenting community events in their parks and at other recreational facilities. (3rd Hearing-All testimony-Possible amendments & vote)
- HB 375** **SNOW REMOVAL** (Brown, T., Arndt, S.) To authorize townships to require the removal of snow and ice from sidewalks abutting property and to impose a fine for failure to do so. (3rd Hearing-Opponent & interested party)
- HB 333** **BIDDING THRESHOLDS** (Schaffer, T., Hambley, S.) To increase the monetary thresholds above which competitive bidding is required for township road construction, repair, or maintenance contracts, and to increase the monetary thresholds above which a force account assessment is required for a township road construction, repair, or maintenance project. (3rd Hearing-Opponent & interested party)
- HB 378** **TRAFFIC ARRESTS** (Hambley, S., Rezabek, J.) To authorize law enforcement officers of township police districts and joint police districts, and township constables, serving specified small populations to make arrests for motor vehicle-related violations committed on an interstate highway in the same manner as township law enforcement officers serving larger populations. (3rd Hearing-Opponent & interested party)
- HB 413** **EXECUTIVE SESSION** (Brinkman, T.) To add to the purposes for which a board of township trustees may go into executive session, to permit a township to charge for recycling services, to reduce the population threshold for a township to adopt a limited home rule form of government, to authorize a township to purchase, lease, or provide underwater rescue and recovery equipment for fire and rescue purposes, to authorize boards of township trustees to pay for group life insurance for any employee, to make other changes to the township laws, to allow taxing units to use the proceeds of a

fire, police, or emergency services tax levy to pay costs related to the service for which the tax is levied, and to expand the public infrastructure improvements townships, municipal corporations, and counties may pay for using money from their public improvement tax increment equivalent funds. (3rd Hearing-Opponent & interested party)

HB 462

POLICE DISTRICT (Hagan, C., Sprague, R.) To establish a joint police district, to modify the membership of a joint police district governing body, to expand the offense of solicitation to also apply to a person who agrees with another to engage with the other person in sexual activity for hire, to provide that the "prescription exemption" from the drug possession offenses does not apply to a person who uses more of the drug than the maximum prescribed amount per day or the maximum amount to be used within the prescription timeline or who administers or takes the drug in a manner not prescribed by the prescribing health professional, and to provide immunity from civil liability to a peace officer who administers naloxone to a person who is apparently experiencing an opioid-related overdose. (1st Hearing-Sponsor)

Senate Ways & Means (Committee Record) (Chr. Peterson, B., 466-8156), South Hearing Rm., 9 a.m.

HB 9

TAX EXPENDITURES (Boose, T.) To create a Tax Expenditure Review Committee for the purpose of periodically reviewing existing and proposed tax expenditures. (3rd Hearing-All testimony)

SB 264

TAX HOLIDAY (Bacon, K.) To provide for a permanent three-day sales tax "holiday" each August during which sales of back-to-school clothing and school supplies are exempt from sales and use taxes. (2nd Hearing-All testimony-Possible amendments & vote)

HB 233

REDEVELOPMENT DISTRICTS (Schuring, K.) To authorize municipal corporations to create downtown redevelopment districts and innovation districts for the purposes of promoting the rehabilitation of historic buildings, creating jobs, encouraging economic development in commercial and mixed-use areas, and supporting grants and loans to technology-oriented and other businesses. (3rd Hearing-All testimony-Possible amendments & vote)

House Transportation & Infrastructure (Committee Record) (Chr. Boose, T., 466-9628), Rm. 122, 9:30 a.m.

SB 182

ROAD NAMING (Balderson, T., Peterson, B.) To designate a portion of United States route twenty-three within Pickaway County as the "Army Specialist Gerald R. Jenkins Memorial Highway" and a portion of United States route sixty-two within Pickaway County as the "Army PFC Kevin C. Ott Memorial Highway." (1st Hearing-All testimony-Possible amendments, substitute & vote)

HB 461

LICENSE PLATE (Roegner, K.) To establish the Cuyahoga Valley National Park license plate and to require a \$15 contribution for the issuance of the license plate. (1st Hearing-Sponsor)

Senate Insurance (Committee Record) (Chr. Hottinger, J., 466-5838), South Hearing Rm., 10:30 a.m.

HB 207 WORKERS COMPENSATION (Henne, M., McColley, R.) To allow a state fund employer to have a workers' compensation claim that is likely to be subrogated by a third party paid from the surplus fund account in the state insurance fund rather than charged to the employer's experience (1st Hearing-Sponsor)

SB 273 CORPORATE GOVERNANCE (Bacon, K.) To enact the Corporate Governance Annual Disclosure Act. (1st Hearing-Sponsor)

SB 27 FIREFIGHTER CANCER (Patton, T.) To provide that a firefighter who is disabled as a result of specified types of cancer is presumed for purposes of the laws governing workers' compensation and the Ohio Police and Fire Pension Fund to have incurred the cancer while performing official duties as a firefighter. (3rd Hearing-Opponent & interested party)

House Session (Chr. Rosenberger, C., 466-3357), House Chamber, 11 a.m.

Senate Public Utilities (Committee Record) (Chr. Seitz, B., 466-8068), North Hearing Rm., 11 a.m.

- **Confirmation hearing on governor's appointment of Andre Porter, chairman, Public Utilities Commission of Ohio**

House Rules & Reference (Committee Record) (Chr. Amstutz, R., 466-1474), Rm. 119, 11:30 a.m. or after session

Senate Rules & Reference (Committee Record) (Chr. Faber, K., 466-7584), Majority Conf. Rm., 11:30 a.m.

House Ways & Means (Committee Record) (Chr. McClain, J., 644-6265), Rm. 121, 1:30 p.m. or after session

HB 334 TAX EXEMPTION (Buchy, J.) To exempt memberships to gyms or other recreational facilities operated by nonprofit organizations from sales and use taxation. (3rd Hearing-All testimony-Possible amendments & vote)

HB 297 TAX CREDIT (Hill, B.) To authorize a refundable income tax credit for current livestock owners who invest in a manure storage or treatment facility or acquire manure application equipment or manure handling and transportation equipment. (2nd Hearing-Proponent)

House Government Accountability & Oversight (Committee Record) (Chr. Brown, T., 466-8104), Rm. 114, 1:30 p.m.

HB 444 ALCOHOL SAMPLES (Blessing, L.) To allow certain D liquor permit holders to provide free tasting samples of beer, wine, and spirituous liquor to a person who is 21 years old or older and a paying customer of the permit holder. (1st Hearing-Sponsor)

HB 351 LIQUOR LAWS (Perales, R., DeVitis, T.) To increase the amount of spirituous liquor that an A-3a liquor permit holder may annually manufacture and to allow an A-3a permit holder to obtain an A-1-A liquor permit. (6th Hearing-All testimony-Possible amendments & vote)

HB 278 **HUMANE SOCIETIES** (Hambley, S.) To require approval by the board of county commissioners, instead of the probate judge, of appointments of agents by county humane societies outside a municipal corporation, to specify that a county humane society is a political subdivision, to make its directors, agents, officers, and employees subject to the Ethics Law, and to increase the salaries paid to the agents. (3rd Hearing-Opponent)

Senate Session (Chr. Faber, K., 466-4900), **Senate Chamber, 1:30 p.m.**

House Education (Committee Record) (Chr. Brenner, A., 466-6711), **Rm. 121, 2 p.m. or after session**

- **SB3 and ODE presentation removed from the agenda**

HB 441 **SCHOOL ACTIVITIES** (McColley, R.) To permit a student enrolled in a nonpublic school to participate in interscholastic activities at a school district that is not the student's resident district under certain circumstances and to prohibit a student who participates in the College Credit Plus program from being denied the opportunity to participate in interscholastic athletics solely due to participation in the program. (1st Hearing-Sponsor)

HB 383 **FINANCIAL LITERACY** (Hagan, C., McColley, R.) To require one-half unit of economic and financial literacy in the high school social studies curriculum, to require the Chancellor of Higher Education to prepare an informed student document for each state institution of higher education, to require the State Board of Education to include information on the informed student document in the standards and model curricula it creates for financial literacy and entrepreneurship, and to entitle the act the "Informed Student Document Act." (2nd Hearing-Sponsor)

HB 401 **PRIVATE SCHOOLS** (Brinkman, T.) With regard to requirements for chartered nonpublic schools. (3rd Hearing-Proponent)

HB 410 **TRUANCY** (Rezabek, J., Hayes, B.) With regard to habitual and chronic truancy and compulsory school attendance. (3rd Hearing-All testimony)

Senate State & Local Government (Committee Record) (Chr. LaRose, F., 466-4823), **North Hearing Rm., 2:30 p.m. or after session**

SB 257 **REAL PROPERTY** (Seitz, B., Skindell, M.) To create a presumption of validity of recorded real property instruments, reduce the time period for curing certain defects related to those instruments, and provide constructive notice for those instruments. (1st Hearing-Sponsor)

HB 359 **ADDRESS CONFIDENTIALITY** (Duffey, M., Gonzales, A.) To create an address confidentiality program for victims of domestic violence, menacing by stalking, human trafficking, trafficking in persons, rape, or sexual battery. (1st Hearing-Sponsor)

HB 158 **DISABILITY TERMS** (Dever, J., Howse, S.) To change the variations of the term "mentally retarded" to "person with an intellectual disability." (1st Hearing-Sponsor)

- HB 242** **DAY DESIGNATION** (Hagan, C., Dever, J.) To designate the fourth Sunday of July as Blue Star Mothers Day. (2nd Hearing-All testimony-Possible vote)
House Judiciary (Committee Record) (**Chr. Butler, J., 644-6008**), Rm. 116, 3:30 p.m.
- HB 347** **CIVIL FORFEITURES** (McColley, R., Brinkman, T.) To eliminate civil asset forfeiture proceedings and to modify the law governing criminal asset forfeitures. (7th Hearing-Possible amendments & vote)
- SB 215** **VEHICLE FORCIBLE ENTRY** (Hughes, J., LaRose, F.) To grant a person immunity from civil liability for any damage resulting from the forcible entry of a motor vehicle for the purpose of removing a minor or an animal from the vehicle because the minor or the animal is in imminent danger of suffering harm. (1st Hearing-Sponsor)
- HB 446** **OVI OFFENSES** (Manning, N.) To specify that the prison term that may be imposed for a third degree felony operating a vehicle while intoxicated ("OVI") offense is a definite period of twelve, eighteen, twenty-four, thirty, thirty-six, forty-two, forty-eight, fifty-four, or sixty months, to add "harmful intoxicant" to the definition of "drug of abuse" for the purposes of commercial driver's licensing law, to allow a person to assert the existing affirmative defense of driving in an emergency with regard to a prosecution for driving under a suspended driver's license under specified laws, and to specify that certain enhanced penalties for speeding violations apply regardless of whether the offender previously has been convicted of or pleaded guilty to speeding. (1st Hearing-Sponsor-Possible amendments)
- HB 451** **PROTECTION ORDERS** (Boose, T.) To provide that an individual's statutory priority to decide whether or not to withhold or withdraw life-sustaining treatment for the individual's relative is forfeited if the individual is the subject of a temporary protection order or civil protection order and the relative is the alleged victim or if the individual and the relative are married and the parties to a divorce, dissolution, legal separation, or annulment proceeding. (2nd Hearing-Sponsor-Possible amendments)
- HB 439** **VOYEURISM** (Anielski, M.) To include an impaired person as a victim of voyeurism and to include conduct involving an impaired person within the offenses of pandering obscenity involving a minor, pandering sexually oriented matter involving a minor, and illegal use of a minor in a nudity-oriented material or performance. (2nd Hearing-Proponent)
- HB 432** **ESTATE LAW** (Rezabek, J.) To revise the law governing decedent's estates by making changes in the Ohio Trust Code, the Probate Law, the Uniform Principal and Income Act, the Transfers to Minors Act, and the Uniform Simultaneous Death Act. (2nd Hearing-Proponent)
- HB 436** **DUI SENTENCES** (Cupp, R., Rogers, J.) To authorize a judge that grants limited driving privileges to a second-time OVI offender to order the termination of the mandatory immobilization order. (2nd Hearing-Proponent)
- HB 222** **TRANSIT WORKER ASSAULTS** (Driehaus, D., Perales, R.) To increase the penalty for assault when the victim is an employee of an Ohio transit

system whom the offender knows or has reasonable cause to know is such an employee engaged in the performance of the victim's duties; to permit the court to impose a fine of up to \$5000 and a six-month or lifetime prohibition from riding an Ohio transit system for assault committed in such specified circumstances; to authorize Ohio transit systems to post a warning sign indicating that abuse or assault of staff will not be tolerated and might result in a felony conviction; and to increase the penalty for evading payment of the known fares of a public transportation system. (2nd Hearing-Proponent)

HB 363

JUVENILE HEARINGS (Reece, A.) To require restraints to be removed from an alleged or adjudicated delinquent child prior to the commencement of a juvenile court hearing or proceeding unless the court determines that the use of restraints is necessary to prevent physical harm to the child or another person or to prevent the child from escaping. (2nd Hearing-Proponent)

House Armed Services, Veterans Affairs & Public Safety (Committee Record) (Chr. Johnson, T., 466-2124), Rm. 017, 3:30 p.m.

HB 173

VETERAN IDENTIFICATION (Anielski, M., Terhar, L.) To authorize county recorders to issue Ohio veterans identification cards. (4th Hearing-All testimony-Possible substitute & vote)

HB 295

LICENSE PLATE (Ruhl, M.) To create the "Global War on Terrorism Civilian Service Medal" license plate. (2nd Hearing-All testimony-Possible vote)

HB 104

LICENSE PLATE DISPLAY (DeVitis, T.) To specify that failure to display a license plate on the front of a motor vehicle that is required to display a license plate on the front and rear of the vehicle is a secondary traffic offense, to establish a maximum fine of \$25 for such an offense, and to amend the version of section 4503.21 of the Revised Code that is scheduled to take effect January 1, 2017, to continue the provisions of this act on and after that effective date. (3rd Hearing-Possible vote)

HB 388

OVI OFFENSES (Scherer, G.) To authorize a court to grant unlimited driving privileges with an ignition interlock device to first-time OVI offenders, to expand the penalties related to ignition interlock device violations, to modify the law governing the installation and monitoring of ignition interlock devices, to extend the look back period for OVI and OVI-related offenses from six to ten years, and to modify the penalties for OVI offenses. (3rd Hearing-All testimony)

Sunset Review Committee (Committee Record) (Chr. Brown, T., 466-8104), South Hearing Rm., 3:30 p.m.

- **Agency reports from Reclamation Commission, Reclamation Forfeiture Fund Advisory Board, Board of Cosmetology, Optical Dispensers Board, Child Care Advisory Council, Child Support Guideline Advisory Council, Children's Trust Fund Board, Unemployment Compensation Advisory Council, State Victims Assistance Advisory Committee, Ohio Expositions Commission, Data Collection and Analysis Group, Dentist Loan Repayment Advisory Board, Help Me Grow Advisory Council, Hospital Measures Advisory Council, Infant Hearing Screening Subcommittee, Infection Control Group, Intergovernmental Council**

and Advisory Panel of the Lupus Educational and Awareness Program, Legislative Committee on Public Health Futures, Maternity and Newborn Advisory Council, Medically Handicapped Children's Medical Advisory Council, Physician Loan Repayment Advisory Board, Radiation Advisory Council, The Director of Health's Advisory Group on Violent Deaths, The Director of Health's Committee on Concussions and Head Injuries Sustained by Athletes, Council to Advise on the Establishment and Implementation of the Birth Defects Information System and Ohio Medical Quality Foundation

Agency Calendar

Board of Landscape Architects, 77 S. High St., 31st Flr. Board Room, Columbus, 9 a.m.

Southern Ohio Agricultural & Community Development Foundation, Foundation Office, 100 S. High St., Hillsboro, 9:30 a.m. (Agriculture Development Subcommittee)

Racing Commission, 77 South High St., Room 1960, Columbus, 10 a.m.

Southern Ohio Agricultural & Community Development Foundation, Foundation Office, 100 S. High St., Hillsboro, 11:30 a.m. (Educational Subcommittee)

Public Facilities Commission, 35th Fl., 30 E. Broad St., Columbus, 4 p.m.

Event Planner

Nevada Republican caucuses

Ohio Federation of Soil and Water Conservation Districts' (OFSWCD) 73rd annual conservation partnership conference, Renaissance Hotel, 50 N. 3rd St., Columbus
Quinnipiac University to release poll of Ohio likely voters on presidential primary
Cincinnati USA Regional Chamber Legislative Breakfast Reception, Athletic Club of Columbus, 136 E. Broad St., Columbus, 9:30 a.m.

Ohio senators, faith leaders, others news conference on ending "pregnancy discrimination", Press Conf. Rm., Statehouse, Columbus, 11 a.m.

Rep. John Bocchieri (D-Poland) fundraiser, The Chintz Room, 121 S. High St., Columbus, 5 p.m., (Sponsor: \$1,000, \$500, \$250 to John Bocchieri for Ohio Committee)

Ohio Council of Retail Merchants annual legislative reception, The Lounge at the Athletic Club of Columbus, 136 E. Broad St., Columbus, 5 p.m.

Sen. Peggy Lehner (R-Kettering) fundraiser, Athletic Club of Columbus, Tally Ho Room, 136 East Broad Street, Columbus, 5 p.m., (Event Host \$1,000, Event Sponsor \$500, Individual \$350 to Citizens for Lehner)

Sen. Frank LaRose (R-Copley) fundraiser, Athletic Club of Columbus, The Gold Room, 136 East Broad Street, Columbus, 5 p.m., (Event Host \$1,000, Event Sponsor \$500, Individual Attendee: \$350 to LaRose for Senate)

Rep. Stephen Slesnick (D-Canton) fundraiser, The Chintz Room, 121 S. High St., Columbus, 5 p.m., (Sponsor: \$1,000, \$500, \$250 to Committee to Elect Stephen Slesnick)

Rep. Jim Butler (R-Oakwood) and Sen. Bill Seitz (R-Cincinnati) fundraiser, Athletic Club of Columbus, Parlor A/B, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Butler for Ohio and/or Seitz for Senate Committee)

Conservative Energy Day Reception, Statehouse Museum Gallery, Columbus, 5:30 p.m., (RSVP to Mike Hartley at mike@swingstatestrategies.com)

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Subject: Ohio Report, Monday, April 11, 2016
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Ohio Report for Monday, April 11, 2016

House, Senate Chairs Set Criminal Justice Legislative Priorities For Coming Months

Sunset Review Process About Half Completed; Committee Expected To Wrap Up Work In May

OCMC Subcommittee To Present Congressional Redistricting Proposal Thursday

Bill Would Create Registry Of Parkinson's Patients To Aid In Research, Treatment

Graduates, ODE Tout First-Year Results Of Adult Diploma Program

AEP Names New Ohio COO; EDF Praises Kasich Administration For New Leak Detection Measure For Oil And Gas Facilities...

High Court To Hear Public Records Case Next Week; Oral Arguments Set In Five Other Cases

National Report: Ohio's Affordable Housing Lags Behind Needs Of Low Income Renters

Education Notes: 44 Applicants Seeking Superintendent Job; AG Says College, University Foundations Can Be Audited

Agency Briefs: Elevated Lead Levels Found In Statehouse Drinking Fountain; ODNR Awards Marine Patrol Grants; OEPA; Civil Rights...

Politics Notebook: Strickland Proposes Five Debates, Portman Campaign Aims To Contact 50K Voters; Buckeye Institute Slams Capital Bill; Planned Parenthood And Ohio Right To Life To Hit Statehouse...

Supplemental Agency Calendar

Supplemental Event Planner

Activity Reports

House

Calendars

Day Planner

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Volume #85, Report #69 -- Monday, April 11, 2016

House, Senate Chairs Set Criminal Justice Legislative Priorities For Coming Months

The legislator who leads the Senate Criminal Justice Committee said his goal for the group over the next several months is to avoid interfering with the work of the Criminal Recodification Committee.

Chairman Sen. John Eklund (R-Chardon) said in an interview he does not want to move legislation before lawmakers break for the summer that could be at odds with recommendations from the committee charged with reviewing the state's criminal codes.

"I want to avoid doing anything that is going to be disruptive of the work that the Recodification Committee is doing," he said.

However, Sen. Eklund, a member of the ad hoc panel, also said his standing committee is "not going to be paralyzed."

One of his legislative priorities, he said, is a bipartisan bill (HB 164) sponsored by Rep. John Rodgers (D-Mentor-on-the-Lake) and Rep. Dorothy Pelanda (R-Marysville).

The measure, which already cleared the House, allows non-violent ex-offenders to have their records sealed if they have complied with all court ordered sanctions. (See Gongwer Ohio Report, February 24, 2016)

"That strikes me as a positive initiative," Sen. Eklund said.

Although acknowledging that the legislation may be too complex to move through the committee before the General Assembly's summer recess, Sen. Eklund said another bill he is very interested in is one that would end the death penalty for those that suffer from certain severe mental illnesses at the time of their crimes.

Sponsored by Sen. Bill Seitz (R-Cincinnati) and Sen. Sandra Williams (D-Cleveland), the bill (SB 162) is facing opposition from the Ohio Prosecuting Attorneys Association. (See Gongwer Ohio Report, January 27, 2016)

"It's a big bill. It's an important bill. I don't know that it's something that we can get done that quickly," Sen. Eklund said, adding that discussions with OPAA are ongoing.

Another measure he hopes to get to the Senate floor that he does not feel would conflict with the work of the Recodification Committee is a bill (HB 151) sponsored by Rep. Marlene Anielski (R-Independence) designed to combat cyber stalking. (See Gongwer Ohio Report, October 7, 2015)

On the House side, Chairman Rep. Jim Butler (R-Oakwood), who said he has been in close contact with members of the Recodification Committee, has several legislation priorities he desires to move through the House Judiciary Committee in the coming months. (See Gongwer Ohio Report, March 29, 2016)

One is a bill (SB 76) sponsored by Sen. Kevin Bacon (R-Minerva Park) and Sen. Gayle Manning (R-N. Ridgeville) that specifies the actual servicing of a protective order or consent agreement to the targeted individual isn't necessary for a violation charge if the person knew of the order and "recklessly violated" its terms. (See Gongwer Ohio Report, September 30, 2015)

The measure was introduced after the Ohio Supreme Court overturned the conviction of a man because he had not been officially served with a protective order by an officer of the court.

"There some disagreement between the House and Senate on this issue, but I'm optimistic we can come up with a compromise on this bill," Rep. Butler said.

Another priority, according to Rep. Butler is a bill (SB 215) sponsored by Sen. Jim Hughes (R-Columbus) and Sen. Frank LaRose (R-Copley Twp.) that would provide civil immunity to those who break into cars to rescue animals or children. (See Gongwer Ohio Report, February 10, 2016)

"In general I think the concept is a correct one," Rep. Butler said.

He said he also expects to take up a measure (HB 307) sponsored by Rep. Pelanda designed to provide judges with more discretion in imposing driver's license suspensions for drug-related offenses that did not involve a vehicle. (See Gongwer Ohio Report, October 13, 2015)

Also likely to be a priority for the committee, according to Rep. Butler, is a bill (HB 283) to require DNA testing for certain misdemeanor sex crimes and another bill (HB 268) designed to make it easier for victims of human trafficking to expunge their records.

"I do hope we'll be able to pass those out of committee," Rep. Butler said.

Sunset Review Process About Half Completed; Committee Expected To Wrap Up Work In May

About halfway through the Sunset Review process, dozens of entities have said their services are no longer needed.

"We already have a decent number," said Sen. Kris Jordan (R-Ostrander), who chairs the Sunset Review Committee.

In fact, a total of 40 entities have asked to be sunset, including the Labor-Management Government Advisory Council, the Ohio Parks and Recreation Council and the Ohio Housing Study Committee.

Sen. Jordan said he expects more entities will ask to be discontinued as the process moves forward. The panel's next meeting is 3:30 p.m. Tuesday.

"There will be more," he said. "Every time we have hearings, there are a number of agencies and boards that ask to be sunset."

Not only does Sen. Jordan anticipate more entities to ask to be sunset, he also expects the committee to make some cuts of its own.

"There are a few members of the committee that are looking at additional boards and commissions to be addressed," he said, adding additional hearings would likely be necessary in that case to allow the entities to justify their continued existence.

When all is said and done, Sen. Jordan said, he does not expect the process to result in substantial savings for taxpayers. He does, however, hope the committee's work will improve the business climate across the state.

"Hopefully beyond saving some money, it will get government out of the way of different businesses and entrepreneurs," he said.

Sen. Jordan, though, would like to go farther.

"I would probably like to see more get cut than will actually get cut. But it's a committee process," he said. "There may be some on the other side that think we are going a little bit too far."

Sen. Jordan said he expects the committee to wrap up its work in May and issue a report some time thereafter.

"I'm not sure if we are actually going to get the bill passed until later in the year," he said.

Once a bill is introduced, Sen. Jordan said he hopes for it to garner widespread support.

"It depends on how far we go," he said. "I would like to get a bill that most people can agree to."

The review process occurs every six years. Nearly 80 boards, commissions and study panels were eliminated through legislation (SB171, 129th General Assembly) enacted at the end of the last Sunset Review process.

**OCMC Subcommittee To Present Congressional Redistricting Proposal
Thursday**

Members of an Ohio Constitutional Modernization Commission subcommittee plan to have an updated congressional redistricting proposal formed in time for committee discussion Thursday.

The OCMC's Legislative Branch and Executive Branch Committee is scheduled to meet at 2:30 p.m. Thursday - the first meeting since a four-member subcommittee began working in February to reach a compromise agreement on revamping the redistricting process in the spirit of Issue 1.

The full committee initially intended to vote on the measure at its February meeting before several last minute amendments halted the process. Chairman Fred Mills then appointed the subcommittee to come to an agreement on those changes within six weeks. (See Gongwer Ohio Report, February 4, 2016)

Two months later, discussions are ongoing.

But subcommittee member Sen. Charleta B. Tavares (D-Columbus) said in an interview that subcommittee members and staff should have a proposal finalized in time for the committee to discuss it at Thursday's meeting.

"We'll have something to present to the committee on Thursday on where we are," Sen. Tavares said. "We've had discussions with interested parties, with members of the subcommittee, and kind of gone back and forth."

Although the subcommittee has had no informal meetings since its first meeting in March, she said members and staff have continued their discussion over the last month. (See Gongwer Ohio Report, March 9, 2016)

She described the discussions as positive and said she expects the final proposal, which could still be changed by the committee, will honor the spirit of Issue 1, which handed over the legislative mapmaking process to a newly created bipartisan committee.

"We just want to make sure the proposal and our discussion has been focused on how the lines would be drawn and not who is drawing them, which is a good step forward," she said.

Should the subcommittee fail to reach an agreement by Thursday's meeting, members will likely still report to the committee by updating members on its progress.

"The subcommittee will probably present where they are on Thursday and our hopes are we will have something the subcommittee can say is a consensus report because we really want the rules for drawing congressional districts to be specific so it would be difficult for either party to engage in gerrymandering," Sen. Tavares said.

The Thursday unveiling would come just more than a week since Gov. John Kasich's State of the State address, in which the governor doubled down on his call for

lawmakers to embrace change to congressional redistricting. (See Gongwer Ohio Report, April 6, 2016)

"When pure politics is what drives these kinds of decisions the result is polarization and division," the governor said in the speech. "I think we've had enough of it."

Still, Senate President Keith Faber (R-Celina) and House Speaker Cliff Rosenberger (R-Clarksville) have given indications the General Assembly will be sluggish in picking up discussion of the OCMC proposal if it clears the commission.

Sen. Faber said the issue isn't part of his forthcoming agenda, while Rep. Rosenberger called legislative and congressional redistricting are "apples and oranges." (See Gongwer Ohio Report, April 6, 2016)

Bill Would Create Registry Of Parkinson's Patients To Aid In Research, Treatment

A recently introduced bill would make Ohio the fifth state to track data on people who have been diagnosed with Parkinson's disease.

The bill (HB 499), sponsored by Rep. Cheryl Grossman (R-Grove City) and Rep. Kirk Schuring (R-Canton), would authorize the Department of Health to create a registry of patients with Parkinson's and other movement disorders.

Franklin County Auditor Clarence Mingo, who has been diagnosed with Parkinson's disease and helped write the bill, joined Rep. Grossman at a Statehouse news conference Monday, saying that the database is a step toward improving care and research on the condition.

"This data is useful and absolutely necessary not only in the treatment of Parkinson's disease but also in understanding it and thereafter reaching for a cure," Mr. Mingo said.

If the bill passes, Ohio would be the fifth state to create a database of Parkinson's patients, after Utah, California, Nebraska and Washington.

"It will assist us in gathering data that will help researchers in the state and throughout the nation better understand what's happening here in the state of Ohio with that particular disease," Mr. Mingo said. "Understanding that will help us dedicate resources, it will help us identify those who need those resources to the extreme and it will also help us understand, categorially, how it is we should go about finding a cure for Parkinson's disease and otherwise treating it."

About 1 million people have been diagnosed with Parkinson's disease nationwide, Mr. Mingo said, but it's unclear how many people suffer from the condition in Ohio.

"Whether it's 200,000 or 200, we need to know that and understand what's happening here in the state of Ohio with people with Parkinson's disease," he said.

The data would also help shed some light on who the condition affects. Many people who suffer from Parkinson's are elderly, and Mr. Mingo said that means the number of people diagnosed will increase as the population gets older. While the common perception is that it mostly affects older people, he said it affects many others. Mr. Mingo is 44 and publicly announced his diagnosis in 2013.

The bill would allow ODH to draw up rules regarding exactly how the registry would work. The database would allow ODH to release summary data to show trends and help with research. It's unclear at the moment how much the program would cost.

Mr. Mingo said it would also help patients by helping connect them with others who are going through the same thing.

"When you're initially diagnosed with a condition like this your immediate instinct is to look around within your family, throughout your peers and those you know and try to see who else has this disease and what does it mean for a person's life to walk with it," he said.

Rep. Grossman said the bill is another step toward helping those suffering from Parkinson's and other movement disorders.

"Whatever we can do to help the quality of life for Ohioans in meaningful ways, there should be no hesitancy to be able to achieve that goal," she said.

Graduates, ODE Tout First-Year Results Of Adult Diploma Program

The State Board of Education on Monday recognized graduates of the state's adult diploma program, who were among 78 Ohioans to earn diplomas during the pilot year.

The program, which was created through a previous mid-biennium review budget bill (HB 483, 130th General Assembly), enrolls Ohioans ages 22 and older at community colleges and career technical centers where they can simultaneously work toward a diploma and credentials in an in-demand career field.

Stark State Community College, Pickaway-Ross Joint Vocational School, Miami Valley Career Technical Center, Cuyahoga Community College and Penta Career Center were involved in the pilot program, which began this school year. Three other sites received funding through the state budget and will begin accepting students in July. (See Gongwer Ohio Report, July 13, 2015)

"This is probably one of the most exciting things I've had the opportunity to participate in," said Steve Gratz, Senior Executive Director for Student Support and Education Options for the Department of Education.

"This is a game-changer for people. Not only for those individuals, for their families and their communities and so I am just so pleased," he added, saying he believes the program is the first of its kind in the country to offer a diploma issued by the State Board of Education.

Program graduates also spoke to the board, sharing emotional stories of how their lives have been changed for the better because of the credentials and job training they've received.

The state covers the cost of the program, reimbursing pilot sites as students hit milestones, Mr. Gratz said. Because the program is competency based, students work at their own paces toward diplomas.

Michelle Profit, who attended Miami Valley Career Tech, told the board that she couldn't focus in GED classes or during tests so she was never able to obtain a certificate after dropping out of high school during her sophomore year.

Twenty-six years later, she said her dreams of finishing high school have come true thanks to the state offering an additional pathway for individuals older than 21 who never graduated.

"Not only has it fulfilled my heart's desire but it has also given my family a brighter tomorrow," Ms. Profit said, adding that she earned nursing credentials through the program and now works at a hospital.

The law requires pilot sites to offer general instruction in conjunction with training for in-demand jobs that have been identified through OhioMeansJobs and the Governor's Office of Workforce Transformation. To be included on the list, the job must pay at least \$12.54 per hour, which is about \$26,000 per year.

Board members offered support for the graduates, who filled the meeting room and encouraged the administration to continue the program into the next biennium.

"What you've accomplished makes you an inspiration to all of us, especially the more than one million Ohioans who don't have a diploma," Board President Tom Gunlock said.

The state budget included \$5 million in Fiscal Year 2017 to continue the expanded pilot program.

In addition to the Adult Diploma Program, the state has two other options for adults who didn't earn a high school diploma: The GED program and the 22+ program, which is tailored to those who are already employed and are just a few credits short of high school graduation.

AEP Names New Ohio COO; EDF Praises Kasich Administration For New Leak Detection Measure For Oil And Gas Facilities...

AEP has selected Senior Vice President and Treasurer Julie Sloat as the next president and chief operating officer of its Ohio utility unit.

Ms. Sloat will begin her new post May 2, the company announced Monday. She will succeed outgoing President and COO Pablo Vegas, who in March accepted an executive leadership position at Columbia Gas of Ohio parent NiSource. (See Gongwer Ohio Report, March 15, 2016)

AEP Executive Vice President and COO Robert Powers, who will oversee Ms. Sloat in her new role, said her regulatory and financial expertise "will serve us well as we continue our focus on making investments that provide more reliable service, develop renewable power resources and give our Ohio customers tools to control how and when they use electricity."

The company said it expects to soon name a new treasurer to succeed Ms. Sloat.

Ms. Sloat has served as senior vice president and treasurer since January 2013, according to the company, where she oversees the company's treasury, trusts and investments. Between 2009-2013, she was vice president of regulatory case management.

"As important as her business acumen, Julie is able to connect with and develop positive, mutually beneficial relationships with people," Mr. Powers said.

"A native of Bolivar, Ohio, and graduate of the Ohio State University, Julie has strong ties with Ohio companies and community organizations. She knows and loves the Buckeye State and will be focused on how AEP Ohio can best serve our customers and benefit Ohio's economy," he said.

Gas Leaks: The Environmental Defense Fund praised Gov. John Kasich's administration for new plans to reduce air pollution stemming from the oil and gas industry.

Earlier this month, the administration announced it plans to require permits for new and modified equipment at compressor stations, which would require those companies to check for leaks quarterly.

The EDF said those checks will help catch leaking Volatile Organic Compounds and methane, which it said contribute to global warming.

"We applaud Gov. Kasich for, once again, stepping forward to deliver clean air protections that Ohio communities deserve and joining other leading states in regulating harmful methane emissions," EDF President Fred Krupp said in a statement. "Today's announcement underscores that fast-growing recognition that, for natural gas to meet its promise as a lower-carbon fuel, methane emissions can't go unchecked."

The U.S. Environmental Protection Agency has estimated the natural gas sector could be emitting up to 1.7 million metric tons of methane.

"Requiring operators to systematically check equipment for leaks is a proven, cost-effective way to reduce harmful emissions and associated risks to public health and the environment," Senior State Regulatory and Legislative Affairs Manager Andrew Williams said. "We commend the administration for taking this important step and look forward to working with OEPA and other stakeholders to strengthen the proposal."

Ozone Standard: State regulators and interest groups are pushing back on a recent U.S. EPA white paper that they say fails to adequately account for background ozone under a newly lowered federal ozone standard.

Such ozone cannot be controlled by a state because it stems from a natural event, such as a wildfire, or enters the state from another state, according to the Center for Regulatory Solutions.

More than a dozen entities, including state agencies, air quality experts, and business groups have submitted comments protesting what they call "serious flaws" in the paper. They're arguing that the EPA's failure to account for background ozone would "unfairly punish Western states and compromise their ability to comply with the stringent" air quality guidelines adopted last year.

In October, the EPA announced a long-awaited move to lower the federal ozone standard from 75 parts per billion to 70 parts per billion. (See Gongwer Ohio Report, October 1, 2015)

"The agency suggests that the relief mechanisms in the statute are sufficient to address the rare instances where background ozone pushes a state out of compliance," according to the center's comments. "To the contrary, our review reveals that neither assertion is accurate or substantiated by the facts. What is clear, however, is that EPA is trying to regulate something for which the science is still not fully understood."

High Court To Hear Public Records Case Next Week; Oral Arguments Set In Five Other Cases

An attorney representing the Ohio Innocence Project next week will argue that the Ohio Supreme Court should overturn a 1994 ruling and compel the Columbus Division of Police to provide him access to the case file of a man convicted of a 2007 murder.

Cincinnati attorney Donald Caster will argue that the court's ruling in *State ex rel. Steckman v. Jackson* should be overturned because of revision to Criminal Rule 16 made in 2010, the court reported.

In *Steckman*, the court ruled that access to law enforcement evidentiary records should be determined by the discovery rules for criminal cases rather than the Ohio Public Records Act.

Mr. Caster will argue that the that 2010 rule change paved the way for the court to overturn the 1994 decision and allow for the examination of investigatory records once a trial begins.

CDP will argue that it is following the law laid out in the *Steckman* case in denying the records request of Mr. Caster.

According to the court, CDP will claim that many of the records are "specific investigatory work product," which includes personal notes, working papers, memoranda and evidentiary findings, all of which were exempted from public record law in a 1997 case.

The Innocence Network and the Ohio Coalition for Open Government have filed briefs in support of Mr. Caster's case.

The court will hear five other cases next week:

- In *Jackson v. State*, a death row inmate will appeal his sentence arguing that the judge did not take mitigating factors into account at a resentencing hearing.
- In *250 Shoup Mill v. Tax Commissioner*, the court will decide if a non-profit real estate company that leases property to a Dayton charter school and is owned by a charter-school corporation is eligible for a property tax exemption.
- In *Jacobson v. Kaforey*, the court will determine if a woman, who as a child was assigned a conservator who then sent her to live with an uncle in Florida, can file a lawsuit claiming the conservator and a hospital violated the law.
- In *Aalim v. State*, A juvenile facing aggravated robbery charges in adult court will argue that the statute allowing his case to be moved from the juvenile system is unconstitutional because the juvenile court judge was not given an opportunity to determine if he would be responsive to rehabilitation in the juvenile system.
- In *State v. Jones*, The court will decide if a Cleveland man convicted of a 1993 more than 20 years later should be subject to sentencing laws at the time of the offense.

The latter two cases, along with the public records case, will be heard on April 20 at Meigs High School in Pomeroy as part of the court's off-site program.

National Report: Ohio's Affordable Housing Lags Behind Needs Of Low Income Renters

A new national analysis of U.S. Census data shows Ohio by and large has just 38 affordable and available housing units for every 100 extremely low income renter households.

But Ohio isn't alone, according to the National Low Income Housing Coalition, which analyzed the data. The Buckeye State joins 49 other states and Washington D.C. in not being able to adequately meet the housing needs of impoverished residents.

The report, called "The Gap: The Affordable Housing Gap Analysis 2016," examines PUMS data - the most detailed level of data from the Census Bureau's American Community Survey. In doing so, the group determined that "clearly a new approach is needed to address the housing needs of households with the lowest incomes."

That's because the United States has 7.2 million too few affordable rental units available to those considered "extremely low income," which is defined as those with an income at or below 30% of the area median income.

Of those ELI renters, 75% were "severely cost-burdened, spending more than half of their income on rent and utilities," according to the study. In all states, at least 55% of ELI renters put more than half their incomes toward rent and utilities, according to the group.

NLIHC Vice President of Research Andrew Aurand said the study "reveals an alarming reality about housing for extremely low income households."

"What is frustrating is the lack of timely action to address the issue," Mr. Aurand said. "Millions of people in America are living in unaffordable rental homes. They are forced to cut their spending on food, transportation and health to pay rent."

In Ohio, there were 274,346 too few units for ELI households. In all, 71% of ELI households demonstrated a severe housing cost burden.

Of Ohio's three largest metropolitan areas, each had a deficit of housing units per 100 households at or below the ELI threshold. But only Columbus had a number of available units below the national level.

Of those metro areas:

- The Columbus area required 55,675 more affordable housing units to adequately serve extremely low income renters
- The Cincinnati area - including portions of Kentucky and Indiana - had 47,486 too few units for that population
- The Cleveland-Elyria area had 55,579 too few units

Of all states, North Dakota fared the best, but that state still had a shortage with 64 affordable and available units per 100 ELI households. Nevada, in contrast, fared the worst nationally with 17 units per 100 such households.

Sheila Crowley, who recently retired as the group's president and CEO, said more funding to the National Housing Trust Fund would help close the gap.

So would success of the group's ongoing campaign United for Homes, she said, which lobbies for reducing the portion of a mortgage eligible for tax breaks from \$1 million to \$500,000 and changing the deduction to a 15% non-refundable tax credit. She said those moves would save up to \$200 billion in the next decade that could be invested into the trust fund.

"The National Housing Trust Fund was explicitly created to address the most critical housing needs in our country, housing affordable to those with the lowest income," Ms. Crowley said. "We can end homelessness and housing poverty in America without adding a penny to the federal deficit through the United for Homes campaign. All we need is the will."

Education Notes: 44 Applicants Seeking Superintendent Job; AG Says College, University Foundations Can Be Audited

The State Board of Education this week will begin reviewing the qualifications of 44 applicants who are looking to be the next superintendent of public instruction.

Board President Tom Gunlock said the applications will be made public on Wednesday and board members will have until April 28 to pick five candidates that they would like to interview.

Ray & Associates, a contracted search firm, is reviewing the applications that were due Friday and will also select the five interviewees, he said.

The goal is to complete interviews in May and select a superintendent shortly after, the board president said.

"Hopefully somebody will come to the forefront and we can get this done. If not, we may have to call people back for additional interviews, but hopefully we can get this thing done sometime in May," Mr. Gunlock said in an interview.

The chosen candidate, who will be paid \$210,000-\$250,000 annually, will replace former superintendent Dick Ross, who retired in December. Lonny Rivera, who has been serving as interim superintendent, said last year he wasn't interested in applying for the permanent post.

Foundation Audits: State Auditor Dave Yost is clear to continue reviewing the financial records of college and university foundations, per an Attorney General's opinion.

AG Mike DeWine recently issued an opinion stating that the foundations, which raise private funds to support the public institutions, are considered public entities and therefore subject to audits.

"We conclude that a public college or university foundation established as a private nonprofit corporation under R.C. Chapter 1702, the primary purpose of which is to solicit and receive, on behalf of a state college or university, gifts, donations, and bequests made for the benefit or use of the state college or university, and which is responsible for keeping records of donations for the state college or university, is an entity established by the laws of this state for the exercise of a function of government, and is, therefore, a public office," according to the legal opinion.

Yost spokesman Benjamin Marrison said the office requested clarification on foundation audits following push back from the University of Toledo and Youngstown State University. The latter hired legal counsel to debate the auditor's characterization of its foundation as a public entity late last year, Mr. Marrison said.

The opinion ensures that the auditor can examine foundation funds as he sees fit.

"We are pleased, but not surprised, that the attorney general agrees that these funds - collected on behalf of universities to benefit universities - are public dollars and subject to the scrutiny of state auditors," Mr. Yost said.

The office has been contracting with audit firms to examine college and university foundations as part of regular audits for more than 20 years, Mr. Marrison said.

Agency Briefs: Elevated Lead Levels Found In Statehouse Drinking Fountain; ODNR Awards Marine Patrol Grants; OEPA; Civil Rights...

The Capitol Square Review & Advisory Board on Monday tested water in the Statehouse after previous testing found elevated lead levels in a single drinking fountain.

Columbus news station NBC4 collected water samples in the building and testing showed that a fountain on the first floor of the Senate building had a "slightly elevated lead level," according to CSRAB.

To verify the tests, CSRAB completed its own and is expecting results to be available by Friday. All 17 drinking fountains and four kitchenettes in the Statehouse and Senate Building were tested.

The drinking fountain that was identified as having elevated lead levels was taken out of service last Friday when the results of the NBC4 tests were provided to officials, CSRAB said.

Natural Resources: The agency's Division of Watercraft will provide 24 communities with more than \$576 million to support marine patrol units.

"The 2016 Marine Patrol Assistance Grants will help local law enforcement agencies provide emergency response to boating-related incidents, conduct routine waterway patrols and purchase safety equipment for use on marine patrol vessels," according to an ODNR release.

As the number of registered recreational watercraft has increased in recent years, boating-related fatalities have decreased, the agency noted.

In 2015, a record 474,601 watercraft were registered, representing a growth of almost 40,000 in the last three years. Boating related fatalities, meanwhile, have decreased 12% since 1996.

Environmental Protection Agency: A public hearing is set for April 18 to gather input on a wastewater treatment plant expansion in Grove City.

The Ohio EPA said the expansion that discharges to a tributary of Big Darby Creek "would allow Franklin County to retire older wastewater treatment plants and would not accommodate new development."

The agency will take comments on the plans at 6 p.m. at Pleasant View Middle School, 7255 Knopp Road, Grove City. Comments can also be submitted to epa.dswcomments@epa.ohio.gov or EPA-DSW, Attention Permits Processing unit, P.O. Box 1049, Columbus, Ohio 43215-1049

Civil Rights Commission: The commission is requesting nominations for its 2016 class of the Ohio Civil Rights Hall of Fame.

The 8th annual Hall of Fame induction ceremony will recognize Ohioans who have been leaders in human and civil rights issues in the state and have advanced quality and inclusion, according to a commission release.

Nominations are due by July 1 for the ceremony that will be held Oct. 6.

Politics Notebook: Strickland Proposes Five Debates, Portman Campaign Aims To Contact 50K Voters; Buckeye Institute Slams Capital Bill; Planned Parenthood And Ohio Right To Life To Hit Statehouse...

After refusing to debate primary opponent P.G. Sittenfeld, former Gov. Ted Strickland is now calling on Sen. Rob Portman (R-Terrace Park) to accept at least five debates in his bid to oust the first-term incumbent.

In a letter to Sen. Portman, Mr. Strickland writes that he looks "forward to a spirited and vigorous campaign; one in which we outline our positions on key issues affecting the people of Ohio."

"Towards that end, I would like to propose a series of debates designed to highlight our priorities and the genuine policy differences that exist between us," the letter continues.

Mr. Strickland proposes the debates be held across the state, one in each region. He also called for the debates to be held in August, September and October.

"Collectively, we can demonstrate to the people of Ohio that we are committed to an open and fruitful discussion of the issues and in the process help inform the voters of the choice they face with this election," the letter reads.

Portman campaign spokeswoman Michawn Rich said in a statement the campaign looks forward to comparing and contrasting the two candidates' records.

"This comes as a welcome surprise given that after a year of refusing to debate, Ted Strickland and his 'invisible' campaign had a change of heart and are now committed to an 'open and fruitful discussion of the issues,'" Ms. Rich said. "As Ted Strickland and his campaign are well aware, we are already receiving debate requests and we look forward to finalizing details with his staff."

Sen. Portman's campaign meanwhile announced a goal of contacting 50,000 voters on April 23 through an effort it has dubbed "Super Saturday."

During a previous "Super Saturday" in October, more than 600 volunteers contacted upwards of 41,000 voters in one day, according to the campaign.

"We are building the most advanced grassroots organization in Ohio history and we are excited about working with thousands of volunteers that know Ohio can't afford to go back to Ted Strickland's Ohio," Ms. Rich said.

"While Ted Strickland runs his 'invisible' campaign, we are proud to work with our impressive team of volunteers and interns who have helped us contact more than 1.5 million voters since last May," he continued. "Ohio voters will have a clear choice in November between moving forward with Rob's pro-growth policies for better wages and more jobs, or returning to Ted Strickland's failed policies of higher taxes, more regulations, and bigger government."

Capital Bill: Ahead of the release of the capital bill (See Gongwer Ohio Report, April 8, 2016), the Buckeye Institute is slamming the \$150 million likely to be set aside for local projects.

"At a time where critical infrastructure needs are emerging across the state, spending state dollars on items that should be paid for locally is not an optimal use of scarce resources," Greg Lawson, the organization's Statehouse liaison and policy analyst, said in a statement. "Ohio policymakers should focus on what is really needed to help the state prosper while letting local taxpayers make local decisions."

In a report issued, the organization lists what it believes to be the "five most ridiculous capital budget requests of 2016." They include:

- \$10.6 million for a "Triumph of Flight" statute at I-70 and I-75 in Dayton
- \$2 million to renovate an exhibit at the Cleveland Rock and Roll Hall of Fame

- \$1.5 million to refurbish parts of Mapfre Stadium in Columbus
- \$150,000 for the Madcap Productions theater and exhibit hall
- \$50,000-\$100,000 for the Bowling Green Curling Club ice rink

Abortion: Both sides of the abortion debate will converge on the Statehouse this week.

Ohio Right to Life will hold a Legislative Day on Tuesday at the Statehouse in which anti-abortion advocates will lobby for the "Down Syndrome Non-Discrimination Act."

Planned Parenthood Advocates of Ohio on Wednesday will hold Freedom of Choice Ohio's Annual Advocacy Day, beginning at Trinity Episcopal Church and moving to the Statehouse.

"Ohio, like many states, has seen an increase in barriers to women's access to vital and high quality health care services," the group stated. "This coordinated effort is part of a larger strategy that is being used nationwide to eventually remove access to safe and legal abortion."

Black Lung Measure: Rep. Jack Cera (D-Bellaire) on Monday touted the introduction of a bill (HB 510) designed to help protect coal miners who are diagnosed with black lung.

"Dealing with black lung disease is a tough reality for many of Ohio's coal miners who work some of our hardest and most dangerous jobs," he said in a statement. "Providing a fair opportunity for benefits as they deal with this debilitating disease is important for the miners and their families. I hope that my colleagues in the legislature will agree."

The legislation would create a workers' compensation process similar to that in West Virginia for coal miners with black lung.

"A miner who lives in Ohio but worked in West Virginia can currently receive at least partial benefits through West Virginia, but a miner who lives and works in Ohio has a more difficult time being approved for benefits," Rep. Cera said. "This bill will help provide a miner who has contracted black lung to have a better chance of receiving at least some benefit to help them through this difficult time."

Kasich Schedule: Gov. John Kasich has four campaign events scheduled this week in New York ahead of the state's presidential primary next week.

Gov. Kasich held two town hall events on Monday, including one hosted by Fox News' Sean Hannity, along with a press availability.

On Tuesday, the governor is set to deliver a speech in New York City on the "Two Paths" facing the American electorate in 2016.

GOP Dinner: The Ohio Republican Party's 2016 state dinner will feature radio talk show host Hugh Hewitt as the keynote speaker.

The June 4 event will also feature Sen. Portman.

Equal Pay: Democrats on Tuesday will hold a press conference in Akron to coincide with Equal Pay Day.

The event, which will feature Ohio Democratic Party Chairman David Pepper and Summit County Clerk of Courts Sandra Kurt, will highlight the gender pay disparity, which Democrats says amounts to about \$10,597 between men and women who work full time in the state.

Supplemental Agency Calendar

Tuesday, April 12

State Board of Education, 25 S. Front St., Columbus, 8 a.m.

Thursday, April 14

Criminal Justice Recodification Committee, House Finance Hearing Rm., Statehouse, Columbus, 1 p.m.

Supplemental Event Planner

Tuesday, April 12

Legislative leaders news conference on capital bill, Harding Senate Press Rm., Statehouse, Columbus, 9:30 a.m.

House Democrats news conference on bill to restrict local hiring options, PLAs (SB152), George Washington Williams Rm., Statehouse, Columbus, 10:30 a.m.

State leaders news conference on efforts to boost fight against prescription drug abuse, CompDrug Inc., 1420 Fields Ave., Columbus, 11:30 a.m.

Wednesday, April 13

Immunization Advocacy Day at the Ohio Statehouse

Ohio Library Council Legislative Day, Statehouse, Columbus, (The Toledo-Lucas County Public Library's Mobile Technology Lab will be parked and available for tours on the Third Street side of the Senate Bldg. from 9 a.m. to 2 p.m.)

Freedom of Choice Ohio's Annual Advocacy Day, Trinity Episcopal Church, 125 E. Broad St. & Statehouse, Columbus, 9:30 a.m.

Ohio Library Council news conference on ROI report, Ladies Gallery, Statehouse, Columbus, 11 a.m.

Wednesday, May 11

Sen. Capri Cafaro (D-Hubbard) fundraiser, Due Amici, 67 E. Gay Street, Columbus, 5 p.m., (Host - \$1000; Sponsor - \$750; Friend - \$500 to Friends of Senator Cafaro)

Saturday, June 4

Ohio Republican Party 2016 State Dinner, Hyatt Regency Ballroom, 350 N. High St., Columbus, 5 p.m., (See <https://www.ohiogop.org/statedinner/> for more information)

Tuesday, June 7

Ohio Senate Democratic Caucus fundraiser, Huntington Park, 330 Huntington Park Ln., Columbus, 6 p.m., (Private Reception

at 6 PM - Game starts at 7:05 PM; Contribution Levels: Host - \$1,500; Sponsor - \$1,000; Friend - \$750 to Ohio Senate Democrats)

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Scott Miller, President | Alan Miller, Vice President | Kent Cahlander, Editor | Melissa Dilley, Mike Livingston, Dustin Ensinger, Jon Reed, Staff Writers

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House Activity for Monday, April 11, 2016

CALENDAR FOR COMING SESSION

SB 133 ■ **AWARENESS MONTH** (Beagle, B.) To designate June as "Scleroderma Awareness Month."

HB 57 ■ **MURDER SENTENCING** (Maag, R.) To change the sentence for aggravated murder.

HB 165 ■ **HUNTING** (Green, D.) To allow an individual on active military duty, while on leave or furlough, to hunt deer or wild turkey without procuring a deer or wild turkey permit.

HB 335 ■ **COURT JURISDICTION** (Craig, H., Grossman, C.) To specify the jurisdiction of municipal and county courts over municipal traffic ordinances and to establish requirements governing fines, fees, or other charges for traffic violations and infractions imposed by a municipal corporation that does not have the authority to establish a mayor's court.

SCR 2 ■ **DIABETES RESEARCH** (Balderson, T., Gentile, L.) To urge the United States Congress to increase federal funding for research and development involving advanced medical technology used in the treatment of type 1 diabetes.

SENATE PRESIDENT'S APPOINTMENTS

State Government: Remove Representative LaTourette; appoint Representative Young

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Daily Activity Planner for Tuesday, April 12

Legislative Committees

House State Government (Committee Record) (Chr. Maag, R., 644-6023), Rm. 116, 8:30 a.m.

- SB 152** **CONTRACTOR LABOR** (Uecker, J.) To prohibit a public authority from requiring a contractor to employ a certain percentage of individuals from the geographic area of the public authority for the construction or professional design of a public improvement. (5th Hearing-All testimony-Possible amendments & vote)
- SB 239** **DAY DESIGNATION** (Hughes, J.) To designate August 7 as Ohio Purple Heart Day. (2nd Hearing-All testimony-Possible vote)
- HB 341** **TRANSPORTATION LAWS** (Young, R., Sweeney, M.) To require the Public Utilities Commission to raise the existing statutorily designated towing and storage fees annually by the percentage increase in the consumer price index, to establish a \$35 fee for the retrieval of nonmedical personal items from a motor vehicle, to modify the civil penalties applicable to violations of the towing law, to modify the calculation of the value of an abandoned vehicle to which a towing service or storage facility seeks to take title, and to make other changes to the towing law. (4th Hearing-All testimony-Possible amendments)
- HB 449** **DAY DESIGNATION** (Romanchuk, M., Amstutz, R.) To designate February 3 as "Charles Follis Day." (1st Hearing-Sponsor)
- HCR 32** **EDUCATION ACT** (McColley, R.) To urge the United States Congress to pass the ADA Education and Reform Act of 2015. (2nd Hearing-Proponent)
- House Local Government (Committee Record) (Chr. Anielski, M., 644-6041), Rm. 018, 9 a.m.
- HB 302** **ANNEXATION** (Henne, M., Butler, J.) To provide that, beginning five years after a type-II annexation is approved, the annexed territory is subject to a fire, police, or EMS tax levy only if the levy is imposed by the subdivision that provides the fire, police, or EMS service to the territory. (3rd Hearing-Opponent)
- HB 413** **EXECUTIVE SESSION** (Brinkman, T.) To add to the purposes for which a board of township trustees may go into executive session, to permit a township to charge for recycling services, to reduce the population threshold for a township to adopt a limited home rule form of government, to authorize a township to purchase, lease, or provide underwater rescue and recovery equipment for fire and rescue purposes, to authorize boards of township trustees to pay for group life insurance for any employee, to make other

changes to the township laws, to allow taxing units to use the proceeds of a fire, police, or emergency services tax levy to pay costs related to the service for which the tax is levied, and to expand the public infrastructure improvements townships, municipal corporations, and counties may pay for using money from their public improvement tax increment equivalent funds. (4th Hearing-All testimony-Possible amendments & vote)

HB 455

BOARDING SCHOOL ZONE (Patterson, J., Roegner, K.) To authorize a municipal corporation or township to establish a boarding school zone and a special speed limit within that zone. (2nd Hearing-Proponent)

HB 462

POLICE DISTRICT (Hagan, C., Sprague, R.) To establish a joint police district, to modify the membership of a joint police district governing body, to expand the offense of solicitation to also apply to a person who agrees with another to engage with the other person in sexual activity for hire, to provide that the "prescription exemption" from the drug possession offenses does not apply to a person who uses more of the drug than the maximum prescribed amount per day or the maximum amount to be used within the prescription timeline or who administers or takes the drug in a manner not prescribed by the prescribing health professional, and to provide immunity from civil liability to a peace officer who administers naloxone to a person who is apparently experiencing an opioid-related overdose. (2nd Hearing-Proponent)

Senate Financial Institutions (Committee Record) (**Chr. Hughes, J., 466-5981**), Finance Hearing Rm., 9 a.m.

HB 303

DEED PROGRAM (Dever, J., McColley, R.) To create the D.O.L.L.A.R. Deed Program. (1st Hearing-Sponsor)

HB 229

TRUST LAW (Hambley, S., Bishoff, H.) To create the Ohio Family Trust Company Act. (1st Hearing-Sponsor)

SB 175

TRUST COMPANY LAW (Eklund, J.) To create the Ohio Family Trust Company Act. (4th Hearing-All testimony)

SB 226

DEBT ADJUSTING (Seitz, B.) Regarding debt adjusting. (4th Hearing-All testimony)

House Rules & Reference (Committee Record) (**Chr. Amstutz, R., 466-1474**), Rm. 119, 10 a.m.

Senate State & Local Government (Committee Record) (**Chr. Uecker, J., 466-8082**), Finance Hearing Rm., 10 a.m.

SB 257

REAL PROPERTY (Seitz, B., Skindell, M.) To create a presumption of validity of recorded real property instruments, reduce the time period for curing certain defects related to those instruments, and provide constructive notice for those instruments. (2nd Hearing-Proponent)

HB 167

LEGISLATIVE SERVICE COMMISSION (Sweeney, M.) Regarding the term of a General Assembly member as a member of the Legislative Service Commission. (1st Hearing-Sponsor)

- SB 275** **PHOTO MONITORING** (Patton, T.) To prohibit a local authority from deriving more than 30 per cent of the total annual revenue of the local authority from the issuance of tickets for traffic law violations based on evidence recorded by traffic law photo-monitoring devices. (1st Hearing-Sponsor)
- HCR 26** **MILITARY BRATPIN** (Sears, B., Dovilla, M.) To express support for the Military BratPin. (1st Hearing-Sponsor)
- HB 87** **DAY DESIGNATION** (Slesnick, S.) To designate October 7 as Moses Fleetwood Walker Day. (1st Hearing-Sponsor)
- HB 31** **STATE ROCK SONG** (Grossman, C., Stinziano, M.) To designate "Hang on Sloopy," which includes the following lyrics, as the official state rock song: Hang on Sloopy, Sloopy hang on; Sloopy lives in a very bad part of town; All the girls I know they try to put my Sloopy down; Sloopy, I don't care what your daddy do; Don't you know little girl, I'm in love with you; Sloopy, let your hair down, let it down on me; Come on Sloopy let your hair down, Girl it down on me. (1st Hearing-Sponsor)
- Senate Insurance** (Committee Record) (Chr. Hottinger, J., 466-5838), South Hearing Rm., 10:30 a.m.
- SB 27** **FIREFIGHTER CANCER** (Patton, T.) To provide that a firefighter who is disabled as a result of specified types of cancer is presumed for purposes of the laws governing workers' compensation and the Ohio Police and Fire Pension Fund to have incurred the cancer while performing official duties as a firefighter. (5th Hearing-All testimony-Possible amendments & vote)
- HB 95** **DENTAL SERVICES** (DeVitis, T.) To prohibit a health insurer from establishing a fee schedule for dental providers that are not covered by any contract or participating provider agreement between the health insurer and the dental provider. (3rd Hearing-Opponent)
- HB 207** **WORKERS COMPENSATION** (Henne, M., McColley, R.) To allow a state fund employer to have a workers' compensation claim that is likely to be subrogated by a third party paid from the surplus fund account in the state insurance fund rather than charged to the employer's experience (3rd Hearing-Opponent)
- House Session** (Chr. Rosenberger, C., 466-3357), House Chamber, 11 a.m.
- Senate Rules & Reference** (Committee Record) (Chr. Faber, K., 466-7584), Majority Conf. Rm., 11 a.m.
- Senate Agriculture** (Committee Record) (Chr. Hite, C., 466-8150), North Hearing Rm., 11:15 a.m.
- HB 178** **WINE SALES** (Manning, N.) To establish the F-10 liquor permit to authorize certain A-2 permit holders to sell Ohio wines at farmers markets. (1st Hearing-Sponsor-Possible amendments)
- HB 342** **WINERY PERMITS** (Young, R.) To create the Ohio Farm Winery Permit. (1st Hearing-Sponsor)

- HB 37** **ALCOHOL POSSESSION** (Duffey, M., Stinziano, M.) To allow a person to possess beer or intoxicating liquor on the premises of a market if the beer or intoxicating liquor has been purchased from a D liquor permit holder that is located in the market. (3rd Hearing-All testimony-Possible amendments)
- HB 60** **COMPANION ANIMAL ABUSE** (Hall, D., Patmon, B.) To revise provisions and penalties regarding treatment of companion animals, to revise the definition of "companion animal" in the Offenses Relating to Domestic Animals Law, and to provide a state collaborative effort to assist veterinarians in identifying clients who may use their animals to secure opioids for abuse. (2nd Hearing-Proponent)

House Finance (Committee Record) (**Chr. Smith, R., 466-1366**), **Rm. 313, 1 p.m.**

- SB 264** **TAX HOLIDAY** (Bacon, K.) To provide for a three-day sales tax "holiday" in August 2016 during which sales of back-to-school clothing and school supplies are exempt from sales and use taxes. (1st Hearing-Sponsor)
- HB 130** **DATA OHIO BOARD** (Hagan, C., Duffey, M.) To create the DataOhio Board, to specify requirements for posting public records online, to require the Auditor of State to adopt rules regarding a uniform accounting system for public offices, to establish an online catalog of public data at data.Ohio.gov, to establish the Local Government Information Exchange Grant Program, and to make an appropriation. (2nd Hearing-Proponent-Possible amendments)
- HB 391** **FINANCIAL LITERACY** (Terhar, L.) To require the Chancellor of Higher Education to create the SmartOhio Financial Literacy Pilot Program at the University of Cincinnati to operate for the 2016-2017 school year and to make an appropriation. (3rd Hearing-All testimony-Possible vote)
- HB 483** **DEVELOPMENTAL DISABILITIES** (Amstutz, R.) To modify programs administered by the Department of Developmental Disabilities and to make an appropriation. (1st Hearing-Sponsor-Pending referral)

House Government Accountability & Oversight (Committee Record) (**Chr. Brown, T., 466-8104**), **Rm. 114, 1:30 p.m.**

- HB 227** **COSMETOLOGY LAW** (Roegner, K., Reece, A.) To make changes to the Cosmetology Licensing Law. (5th Hearing-All testimony-Possible amendments, substitute & vote)
- HB 183** **STUDENT TRUSTEES** (Antani, N., Stinziano, M.) To grant student members of the boards of trustees of state universities and the Northeast Ohio Medical University voting power and the authority to attend executive sessions. (3rd Hearing-All testimony-Possible substitute)
- HB 444** **ALCOHOL SAMPLES** (Blessing, L.) To allow certain D liquor permit holders to provide free tasting samples of beer, wine, and spirituous liquor to a person who is 21 years old or older and a paying customer of the permit holder. (2nd Hearing-Proponent)

Senate Session (**Chr. Faber, K., 466-4900**), **Senate Chamber, 1:30 p.m.**

House Commerce & Labor (Committee Record) (Chr. Young, R., 644-6074), Rm. 122, 2 p.m. or after session

HB 172 CRIMINAL RECORDS (Barnes, J.) To enact the Fair and Accurate Reporting of Criminal Records Law, to require certain business entities that publish criminal record information to ensure that the information is complete and accurate, to provide a procedure by which a subject of published criminal record information may have incomplete or inaccurate information corrected or removed from the publication, and to provide remedies for the failure of a business entity to remove or correct incomplete or inaccurate information. (4th Hearing-All testimony-Possible substitute)

Senate Finance (Committee Record) (Chr. Oelslager, S., 466-0626), Finance Hearing Rm., 2:30 p.m. or after session

- **1st Hearing-Sponsor-Pending introduction & referral of capital appropriations bill.**

House Ways & Means (Committee Record) (Chr. McClain, J., 644-6265), Rm. 121, 3 p.m.

HB 404 SALES TAX REFUNDS (Schaffer, T.) To allow vendors to deduct or apply for a refund of sales tax remitted for bad debts on private label credit cards used to make purchases from the vendor. (1st Hearing-Sponsor)

SB 172 BULLION TAXES (Jordan, K.) To exempt from sales and use taxes the sale or use of investment metal bullion and coins. (2nd Hearing-Proponent)

HB 466 TAX EXEMPTION (Smith, R.) To specifically exempt digital advertising services from sales and use tax. (1st Hearing-Sponsor & proponent)

HB 150 HOTEL INTERMEDIARIES (Grossman, C., Scherer, G.) To require hotel intermediaries to collect and remit applicable sales and use tax on the full amount paid for hotel lodging, to require hotel intermediaries to supply customers with itemized invoices, to specify that a hotel intermediary is presumed to have "substantial nexus" with Ohio if the intermediary arranges lodging at Ohio hotels, and to specify that hotels are not liable for the failure of a hotel intermediary to properly collect or remit applicable taxes. (3rd Hearing-All testimony)

House Judiciary (Committee Record) (Chr. Butler, J., 644-6008), Rm. 116, 3:30 p.m.

HB 432 ESTATE LAW (Rezabek, J.) To revise the law governing decedent's estates by making changes in the Ohio Trust Code, the Probate Law, the Uniform Principal and Income Act, the Transfers to Minors Act, and the Uniform Simultaneous Death Act. (4th Hearing-All testimony-Possible vote)

HB 339 FOREIGN LAW (Young, R.) To prohibit courts, administrative agencies, and arbitrators from applying foreign law to the detriment of constitutional rights under the United States and Ohio constitutions. (2nd Hearing-Proponent-Possible amendments)

HB 268 HUMAN TRAFFICKING (Hall, D., Dever, J.) To expand the list of human trafficking-related convictions and delinquency adjudications that may be expunged, to increase the penalties for compelling prostitution and promoting

prostitution, and to authorize intervention in lieu of conviction for persons charged with committing an offense while a victim of compelling prostitution. (2nd Hearing-Proponent-Possible substitute)

HB 362

STRANGULATION (Stinziano, M., Kunze, S.) To prohibit a person from knowingly impeding the normal breathing or circulation of another by strangulation. (3rd Hearing-All testimony-Possible substitute)

HB 38

PRISON TERMS (Patmon, B.) To create specifications that impose an additional prison term upon an offender who commits a felony offense against a disabled person or an elderly person and increase the period of commitment to the Department of Youth Services for committing an act that would be a felony offense against a disabled person or an elderly person if committed by an adult, for felony offenses that do not delineate enhanced penalties when a disabled person or an elderly person is the victim of the violation. (3rd Hearing-All testimony)

HB 451

PROTECTION ORDERS (Boose, T.) To provide that an individual's statutory priority to decide whether or not to withhold or withdraw life-sustaining treatment for the individual's relative is forfeited if the individual is the subject of a temporary protection order or civil protection order and the relative is the alleged victim or if the individual and the relative are married and the parties to a divorce, dissolution, legal separation, or annulment proceeding. (3rd Hearing-All testimony)

House Armed Services, Veterans Affairs & Public Safety (Committee Record) (Chr. Johnson, T., 466-2124), Rm. 017, 3:30 p.m.

SB 84

FLAG DISPLAY (Coley, B.) To prohibit manufactured homes park operators, condominium associations, neighborhood associations, and landlords from restricting the display of Ohio flags and blue star banners, gold star banners, and other service flags, and to prohibit manufactured homes park operators and landlords from restricting the display of the United States flag. (1st Hearing-Sponsor)

HB 464

NATIONAL GUARD SCHOLARSHIPS (Terhar, L., Brinkman, T.) To specify that a National Guard scholarship recipient who fails to complete the recipient's term of enlistment in the National Guard due to enlistment, warrant, commission, or appointment in the United States armed forces is not liable for repayment of the scholarship. (1st Hearing-Sponsor)

HB 388

OVI OFFENSES (Scherer, G.) To authorize a court to grant unlimited driving privileges with an ignition interlock device to first-time OVI offenders, to expand the penalties related to ignition interlock device violations, to modify the law governing the installation and monitoring of ignition interlock devices, to extend the look back period for OVI and OVI-related offenses from six to ten years, and to modify the penalties for OVI offenses. (4th Hearing-All testimony-Possible substitute & vote)

- SB 123** **TRAFFIC VIOLATIONS (Hughes, J.)** To allow emergency personnel in public safety vehicles to report traffic law violations under certain circumstances. (3rd Hearing-Opponent & interested party)
- SCR 9** **IRAN AGREEMENT (Uecker, J.)** To urge the Congress of the United States to disapprove the Iranian nuclear agreement known as the Joint Comprehensive Plan of Action (2nd Hearing-All testimony-Possible vote)
- Sunset Review Committee (Committee Record) (Chr. Brown, T., 466-8104), South Hearing Rm., 3:30 p.m.**
- **Reviews of Education Management Information System Advisory Board, English Language Arts Academic Standards Review Committee, Mathematics Academic Standards Review Committee, Science Academic Standards Review Committee, Social Studies Academic Standards Review Committee, Straight A Program Advisory Committee, Straight A Program Governing Board, Advisory Board to Assist and Advise in the Operation of the Ohio Center for Autism and Low Incidence, Board of Voting Machines Examiners, Workers' Compensation Board of Directors Nominating Committee, Technical Advisory Committee to Assist Director of the Ohio Coal Development Office, Supervisory Investigative Panel of the State Dental Board, Barber Board**
- House Community & Family Advancement (Committee Record) (Chr. Derickson, T., 644-5094), Rm. 114, 4 p.m.**
- HB 298** **DRUG TESTING (Schaffer, T., Maag, R.)** To require applicants for unemployment benefits to submit to a drug test under certain circumstances, to require the director of Job & Family Services to operate an Ohio Works First drug testing pilot program and to make an appropriation. (3rd Hearing-Opponent)
- HB 286** **MARRIAGE (Vitale, N.)** To provide that an ordained or licensed minister or religious society is not required to solemnize a marriage and a religious society is not required to allow any building or property of the religious society to be used to host a marriage ceremony if the marriage does not conform to the ordained or licensed minister's or religious society's sincerely held religious beliefs, to provide that an ordained or licensed minister or religious society is not subject to civil or criminal liability for such a denial, and to provide that the state and political subdivisions may not penalize or withhold benefits to an ordained or licensed minister or religious society for such a denial. (3rd Hearing-Opponent)
- Senate Education (Committee Record) (Chr. Lehner, P., 466-4538), Finance Hearing Rm., 4 p.m.**
- HB 299** **AUTISM SCHOLARSHIPS (Blessing, L., Rezabek, J.)** To permit the temporary, legal, or permanent custodian of a qualified child to apply for an Autism Scholarship. (2nd Hearing-All testimony-Possible amendments & vote)

- SB 241** **EDUCATION PROFESSIONALS** (LaRose, F.) With regard to the employment of specified education professionals by city, exempted village, and local school districts. (2nd Hearing-Proponent)
- SB 252** **CARDIAC ARREST** (Hite, C., Patton, T.) With regard to sudden cardiac arrest in youth athletic activities. (2nd Hearing-Proponent-Possible amendments)

Senate Energy & Natural Resources (Committee Record) (**Chr. Balderson, T., 466-8076**), North Hearing Rm., 4 p.m. or after session

- **Confirmation hearing on governor's appointments of Frederick Cash, Ohio Soil and Water Conservation Commission; James Krimmel and John Petkovsek, Environmental Education Council; Kerry Krugh and David Kimberly, Radiation Advisory Council and Craig Porter, Reclamation Commission**

- SB 269** **WATER SYSTEMS** (Schiavoni, J.) To require a public water system to provide notice of lead contamination not later than thirty days after becoming aware that lead contamination may effect the system's drinking water, to require the Director of Environmental Protection to provide the notice if the public water system fails to provide it, to require employees of the Environmental Protection Agency to provide continuing assistance to a public water system that fails to provide the required notice of lead contamination, and to require the Director to adopt rules that increase the monitoring frequency for lead and copper under specified circumstances. (1st Hearing-Sponsor)

- SB 118** **HOUSEHOLD SEWAGE SYSTEMS** (Eklund, J.) To authorize a board of county commissioners or municipal legislative authority to elect to withdraw the county or municipal corporation from the application of any rule adopted after January 1, 2014, by the Department of Health governing the design of household sewage treatment systems. (2nd Hearing-Proponent)

- SB 185** **IMPROVEMENT DISTRICTS** (Seitz, B.) To revise the law governing special improvement districts created for the purpose of developing and implementing plans for special energy improvement projects. (4th Hearing-All testimony-Possible vote)

Agency Calendar

State Board of Education, 25 S. Front St., Columbus, 8 a.m.

Air Quality Development Authority, 50 W. Broad St., Suite 1718, Columbus, 9:30 a.m.

Home Weatherization Assistance Program Policy Advisory Council, 77 South High Street, Room 1960, Columbus, 2 p.m.

Event Planner

Housing Ohio 2016 Conference, Sheraton Downtown Columbus, 75 E. State St., Columbus

Ohio Bankers League lobby day

Ohio Right to Life legislative day

Legislative leaders news conference on capital bill, Harding Senate Press Rm., Statehouse, Columbus, 9:30 a.m.

House Democrats news conference on bill to restrict local hiring options, PLAs (SB152), George Washington Williams Rm., Statehouse, Columbus, 10:30 a.m.

State leaders news conference on efforts to boost fight against prescription drug abuse, CompDrug Inc., 1420 Fields Ave., Columbus, 11:30 a.m.

Sen. Kris Jordan (R-Ostrander) fundraiser, Athletic Club of Columbus, Parlors A&B, 136 E. Broad St., Columbus, 5 p.m., (Host: \$1,000; Sponsor: \$500; Individual attendee: \$350 to Friends of Kris Jordan)

Vorys, Sater, Seymour and Pease LLP Legislative Reception, 52 East Gay St., Columbus, 5 p.m.

Bowling Green State University Statehouse Falcons reception, Capital Club, 41 S. High St., Columbus, 5 p.m., (RSVP to batesdc@bgsu.edu)

Sen. Bob Hackett (R-London) fundraiser, Athletic Club of Columbus, Tally Ho Room, 136 East Broad Street, Columbus, 5 p.m., (Host \$2,500; Chair \$1,000; Sponsor \$500; Individual \$350 to Hackett for Ohio)

Sen. Larry Obhof (R-Medina) fundraiser, Athletic Club of Columbus, Gold Room, 136 East Broad Street, Columbus, 5 p.m., (Event Host \$2,500; Event Sponsor \$1,000; Individual \$500 to Citizens for Obhof)

Sen. Sandra Williams (D-Cleveland) fundraiser, Chintz Room, 121 S. High Street, Columbus, 5 p.m., (Host - \$1000; Sponsor - \$750; Friend - \$500 to Friends of Sandra Williams)

Rep. Steve Hambley (R-Brunswick) and Rep. Mark Romanchuk (R-Ontario) fundraiser, Little Palace, 240 S. 4th Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Hambley for House Committee and/or Romanchuk for State Rep)

Rep. Ron Young (R-Leroy Township) fundraiser, Capital Club, Scarlet & Gray Room, 41 S. High Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Friends of Ron Young)

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From: Massoud, Rachel
Sent: Wednesday, April 20, 2016 9:46 AM
To: Zielinski, Justin
Subject: Fwd: Grace Commission Testimony for Tomorrow
Attachments: 162104_OhioGraceCommissionTestimony_(Final).pdf;
ATT00001.htm

Also Greg from Buckeye Institute apparently...

Sent from my iPhone

Begin forwarded message:

From: Greg Lawson <greg@buckeyeinstitute.org>
Date: April 20, 2016 at 09:43:46 EDT
To: "Massoud, Rachel" <Rachel.Massoud@ohiosenate.gov>
Subject: Grace Commission Testimony for Tomorrow

Rachel:

Here is my testimony for tomorrow.

I was also wondering who else, if anyone, is on the agenda.

Looking forward to tomorrow.

Greg R. Lawson
Statehouse Liaison and Policy Analyst

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Testimony Submitted to the Ohio Grace Commission

April 21, 2016

**Greg R. Lawson, Statehouse Liaison
The Buckeye Institute for Public Policy Solutions**

Thank you Co-Chairs Schuring and Coley and members of the Ohio Grace Commission for the opportunity to discuss streamlining our state government and saving taxpayer dollars. My name is Greg R. Lawson. I am the Statehouse Liaison and policy analyst at The Buckeye Institute for Public Policy Solutions, a free market think tank that believes low taxes and limited government regulations will lead to a more prosperous Ohio.

Governor Kasich and the General Assembly deserve credit for finding ways to slow government spending. Much of the current budget provides for flat funding or just a slight increase in appropriations for many state agencies. This is a positive step. Unfortunately, this means that further savings will require even tougher and more creative policy choices. But to sustain Ohio's fiscal recovery, to spur economic growth, and to be more prepared for the next economic downturn, such choices must be made.

The Buckeye Institute suggests exploring spending reductions and creative solutions in the following policy areas:

- Corporate welfare
- Regulatory boards and commissions
- Local Government Fund distributions
- Public private partnerships
- K-12 education and Medicaid

During last year's budget process, The Buckeye Institute published a new version of our "Piglet Book"¹ proposing cuts to government programs that would generate nearly \$2.6 billion in taxpayer savings over two years. Roughly \$570 million of those potential savings could be gained by simply allowing the state-only General Revenue Fund portions of the Ohio Department of Education to grow by 3% — well below recent trends in the consumer price index.

¹ Greg R. Lawson and Tom Lampman, "2015 Ohio Piglet Book," The Buckeye Institute for Public Policy Solutions, June 1, 2015, http://buckeyeinstitute.org/uploads/files/2015_Ohio_Piglet_Book.pdf.

Additional savings can be found by reducing corporate welfare spending in areas where philanthropy and private enterprise are better suited to meet market needs. We have suggested, for example, eliminating horseracing development funds paid for by taxes on gamblers and casino revenues. This program distributes millions of dollars to racehorse breeders and racetrack owners, but the government should not be propping up the racing industry, much less redistributing profits from one gambling venue to another. Ending this corporate welfare initiative could save Ohio taxpayers over \$20 million. Similarly, we have suggested eliminating the TourismOhio program — a marketing program for Ohio's tourist industry that is funded by the sales tax. Programs like this can be privatized and paid for by the businesses they benefit. For other redistributive programs better suited to the private sector, I encourage the Commission to review the most recent version of our Piglet Book.

Beyond cutting corporate welfare programs, The Buckeye Institute recommends consolidating and eliminating a variety of regulatory boards and commissions. The General Assembly's Sunset Review Committee is already looking for specific regulatory bodies ready to be phased-out, but after the U.S. Supreme Court's decision in *North Carolina Board of Dental Examiners v. Federal Trade Commission*, a systematic overhaul of Ohio's entire licensing system will likely be needed soon. In 2015, the Supreme Court held that when a controlling number of the decision-makers on a state licensing board are active participants in the occupation that the board regulates, such a board can invoke state-action immunity only if it is subject to the state's active supervision. After this ruling, many of Ohio's licensing entities may now violate anti-trust law, and reforms could and should be forthcoming.

Such reforms, of course, should be part of a broader conversation about occupational licensing and how Ohio policymakers can make it easier for people to enter the workforce. Indeed, as the Commission is aware, the General Assembly is close to eliminating the "salon manager's license" — the only license of its kind, requiring licensed cosmetologists to be separately licensed by the state in order to manage a salon. The Buckeye Institute's recent report on

occupational licensure, *Forbidden to Succeed: How Licensure Laws Hold Ohioans Back*,² provides more on this important issue.

More savings can be found by continuing to reduce the Local Government Fund or “LGF.” Currently, the LGF will distribute slightly under \$400 million to localities throughout the state each fiscal year.³ Much of this redistribution can be eliminated, with the remaining LGF reserved only for townships that do not have access to municipal income taxation or county piggyback sales taxes.

Governor Kasich and the General Assembly have received a great deal of criticism for reducing the LGF in previous budgets. Much of this criticism is unwarranted. As The Buckeye Institute has explained in a variety of publications, many of Ohio’s local governments are faring much better financially than the steady drumbeat of negative headlines would have us believe.⁴ The LGF comprises a relatively small portion of the total distributed from Columbus to localities. Thus, cuts to the LGF distribution do not threaten the fiscal health of most of Ohio’s local governments. On the contrary, most local communities have seen overall local revenues on the rise. The Buckeye Institute reported in 2014 that Ohio’s municipalities and counties were not starving for funds, but were actually in better fiscal shape than many had predicted. Most local governments, in fact, continued to collect more tax dollars as general revenues rose. Many of these jurisdictions also had fairly large unassigned general revenue funds that afford them significant budget flexibility. Though there may be some exceptions out there, the exceptions should not dictate the rule.

Working more closely with the private sector can also open new avenues of taxpayer savings. Ohio should continue to explore ways to better leverage the skills of the private sector through public private partnerships or “PPPs.” The Ohio Department of Transportation, for example, is

² Tom Lampman, “Forbidden to Succeed: How Licensure Laws Hold Ohioans Back,” The Buckeye Institute for Public Policy Solutions, November 18, 2015, http://buckeyeinstitute.org/uploads/files/Forbidden_to_Succeed.pdf.

³ Office of Budget and Management, “Budget in Detail- HB 64, 131st General Assembly As Enacted,” July 1, 2015, <http://obm.ohio.gov/Budget/operating/doc/fy-16-17/enacted/budgetindetail-hb64-en.pdf>.

⁴ Greg R. Lawson, “Revenue Sharing Reform: On the Road to Ohio’s Recovery,” The Buckeye Institute for Public Policy Solutions, September 4, 2014, <http://buckeyeinstitute.org/uploads/files/BUCKEYE-revenue-sharing-reform-main-article-ALL-COLOR.pdf>.

already authorized to use PPPs in order to expedite numerous construction projects in Ohio.⁵ Governor Kasich's recent State of the State address called for a leasing arrangement similar to PPPs for the parking garages at Ohio State. And, as The Buckeye Institute and the Reason Foundation have explained, concession agreements with private companies to manage state parks could save Ohio money and improve the park experience.⁶

A PPP for state park operations would transfer the responsibility of maintaining a state park to a private operator who can then raise revenue through entrance and other fees. The state would maintain ownership of all state parks and could remove a private operator for poor performance or failing to fulfill the terms of the concession agreement. Despite recent investments to reduce the backlog of state park maintenance needs and upgrades, much more remains to be done. PPPs could help reduce the backlog, lower maintenance costs, and create a more satisfying experience for visitors.

Other states already use PPP agreements for their state parks. In 2012, budget pressures prompted California to become the first state in the modern era to enter into PPPs for operating five state parks threatened with closure. These PPPs were structured as "whole-park" concession agreements under which the state retains ownership and control over the parks while paying a private operator nothing to run them.⁷ Such a model is also commonly used for managing over half of the U.S. Forest Service's developed recreation areas.⁸ These include campgrounds and day-use areas nationwide under whole-park concession agreements. Colorado, California, Oregon and Washington each have over 100 Forest Service recreation areas and campgrounds operated by private concessionaires. Most other western states such as Arizona, New Mexico, and Nevada have dozens of areas under private operation as well.⁹

⁵ See Revised Code §§5501.70-5501.83.

⁶ Leonard Gilroy, Harris Kenny, and Julian Morris, "Parks 2.0: Operating State Parks Through Public-Private Partnerships," The Buckeye Institute for Public Policy Solutions and The Reason Foundation, December, 2013, [http://buckeyeinstitute.org/uploads/files/Parks%202.0%20\(w%20Reason\).pdf](http://buckeyeinstitute.org/uploads/files/Parks%202.0%20(w%20Reason).pdf)

⁷ *Ibid.*

⁸ *Ibid.*

⁹ *Ibid.*

Finally, to further ease government growth, the General Assembly must reign in spending on the two largest components of the state budget — Medicaid and K-12 education. State policymakers have already begun to act on Medicaid with a series of provisions, including the Healthy Ohio Program waiver that will soon be sent to the U.S. Department of Health and Human Services for approval. The waiver's approval remains in question, but if approved the Healthy Ohio Program will save Ohio taxpayers over a billion dollars. More savings are needed, of course, and we encourage lawmakers to continue to explore how "charity care" can help Ohioans receive quality health care.¹⁰ As for education, policymakers should re-evaluate school funding and the benefits derived from above-inflation rate funding increases.

We offer these policy suggestions as examples of cost reductions and creative solutions for the Commission to consider and explore. As the General Assembly looks for additional fiscal space to make Ohio even more attractive for job-creators, The Buckeye Institute will continue to advocate free market initiatives aimed at the long-term vibrancy and economic well-being of this great state.

I would be happy to answer any questions that the Commission might have.

¹⁰ Tom Lampman, "Expanding Access to Healthcare in Ohio," The Buckeye Institute for Public Policy Solutions, November 30, 2015, [http://buckeyeinstitute.org/uploads/files/Expanding_Access_to_Healthcare_in_Ohio\(1\).pdf](http://buckeyeinstitute.org/uploads/files/Expanding_Access_to_Healthcare_in_Ohio(1).pdf).

From: Massoud, Rachel
Sent: Thursday, April 21, 2016 8:30 AM
To: Zielinski, Justin
Subject: RE: Grace Commission Testimony for Tomorrow

I figured! Thanks for confirming!

From: Justin.Zielinski@ohiohouse.gov [mailto:Justin.Zielinski@ohiohouse.gov]
Sent: Wednesday, April 20, 2016 5:28 PM
To: Massoud, Rachel
Subject: RE: Grace Commission Testimony for Tomorrow

Thanks! Sorry, been in committees all day.

From: Massoud, Rachel [mailto:Rachel.Massoud@ohiosenate.gov]
Sent: Wednesday, April 20, 2016 9:46 AM
To: Zielinski, Justin
Subject: Fwd: Grace Commission Testimony for Tomorrow

Also Greg from Buckeye Institute apparently...

Sent from my iPhone

Begin forwarded message:

From: Greg Lawson <greg@buckeyeinstitute.org>
Date: April 20, 2016 at 09:43:46 EDT
To: "Massoud, Rachel" <Rachel.Massoud@ohiosenate.gov>
Subject: Grace Commission Testimony for Tomorrow

Rachel:

Here is my testimony for tomorrow.

I was also wondering who else, if anyone, is on the agenda.

Looking forward to tomorrow.

Greg R. Lawson
Statehouse Liaison and Policy Analyst

The Buckeye Institute

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(614) 224-4422 | BuckeyeInstitute.org

From: Gongwer News Service
Sent: Wednesday, June 1, 2016 6:15 PM
To: Zielinski, Justin
Subject: Ohio Report, Wednesday, June 1, 2016
Attachments: Jun1.htm; Jun1Senate.htm; 160601dayplan.htm



Ohio Report for Wednesday, June 1, 2016

Mandel Announces Launch Of Tax-Advantaged Savings, Investment Accounts For People With Disabilities

Brown Touts Columbus Transportation Future As Federal Grant Is Announced For Bus Program

Restraining Order Extended In Planned Parenthood Defund; Group Reaches Settlement Over Fetal Remains

Senate, Committees Set To Return Late September

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Calendars

Day Planner

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Volume #85, Report #105 -- Wednesday, June 1, 2016

Mandel Announces Launch Of Tax-Advantaged Savings, Investment Accounts For People With Disabilities

State Treasurer Josh Mandel on Wednesday announced the launch of a program enabling people living with certain disabilities to save and invest money without losing eligibility for certain public benefits programs.

Earnings from the State Treasury Achieving a Better Life Experience Accounts aren't subject to federal income tax and the money in the accounts would be exempt from state and federal means testing for programs such as Medicaid, Supplemental Security Income or Social Security Disability Insurance.

"As treasurer of Ohio I am proud to serve as administrator of STABLE Accounts," Treasurer Mandel said in a statement. "By assisting individuals and families with saving and investing, we are supporting persons with disabilities to maintain health, independence and quality of life."

Ohio is the first state to provide the accounts, which were made possible by federal legislation in 2014, according to the treasurer's office. Legislation (HB 155) signed by Gov. John Kasich last July directed the treasurer to implement the program, originally named ABLE.

The accounts are designed to help people with disabilities gain more economic opportunities without jeopardizing their eligibility for care under government programs.

"Today is a historical achievement as now ABLE accounts are a reality for all individuals with disabilities in America thanks to the hard work of so many dedicated advocates from across the US," said National Down Syndrome Society President Sara Hart Weir. "We couldn't be more proud to participate in the launch of the STABLE Accounts in Ohio."

Ohio's program is open to anyone across the country who meets eligibility requirements, though the fees are higher for people who live out-of-state. Ohio residents will pay \$2.50 per month to maintain the accounts, while residents of other states will pay \$5 per month. Ohio residents will pay an asset-based fee of between 0.19-0.34%, depending on investment options, while out-of-state residents will pay a fee between 0.45- 0.60%.

Participants can use the money from the account for qualified expenses, including education, health care, housing and transportation. Participants will be able to choose between five different investment strategies that range in risk levels, including a banking approach that offers no risk and is backed by the Federal Deposit Insurance Corporation.

"Ohio, by providing these tax-advantaged savings accounts to children and adults with disabilities, has begun to pave the way for a transformative opportunity for one of our country's most disenfranchised populations," said Christopher Rodriguez, senior public policy adviser of the National Disability Institute. "The benefits of these STABLE Accounts will surely promote people with disabilities, and their families, to save for their futures and become a more significant part of the economic mainstream."

The accounts have a yearly contribution limit of \$14,000. Accounts can be set up for free on the program's website, and an initial contribution of \$50 is required.

The legislation that enabled the program passed the House and Senate unanimously last year. The bill's sponsors, Reps. Jonathan Dever (R-Cincinnati) and Margaret Condit (R-Liberty Twp.) said it would help lift people with disabilities out of poverty by allowing them to make and save more money without losing vital programs for their care. (See Gongwer Ohio Report, May 20, 2015)

Brown Touts Columbus Transportation Future As Federal Grant Is Announced For Bus Program

Federal officials were in Columbus Wednesday to announce a \$37 million grant designed to improve public transit in a corridor of Columbus.

The grant, presented by Federal Transit Administration Acting Administrator Carolyn Flowers and U.S. Sen. Sherrod Brown (D-Avon), is designed to help fund a bus rapid transit system along the Cleveland Avenue corridor in Northeast Columbus.

Sen. Brown praised the system as a way of improving access to jobs and increasing opportunities for people who use the route. The system will cut down on the time people spend waiting for buses and riding buses, he said.

"One of the beauties of doing this right in such a progressive city like Columbus is it will make people's lives better and make their time more theirs," he said.

The bus rapid transit program, known as CMAX, will stretch from downtown to Westerville, with 32 bus stops, two new park-and-ride lots and 15 new compressed natural gas buses. It is expected to launch in January 2018.

COTA President and CEO W. Curtis Stitt praised Sen. Brown for his work to maintain the level of funding for public transit programs in the latest long-term transportation authorization bill.

"Without his steadfast support, funding for this would have been impossible," Mr. Stitt said.

After the event and ceremonial grant signing, Sen. Brown said he believed the new bus line would help Columbus win the U.S. Department of Transportation's Smart City Challenge.

The Ohio Legislature last week adopted a resolution (SCR 21) urging the DOT to choose Columbus. (See Gongwer Ohio Report, May 24, 2016)

Winning the Smart City Challenge, he said would be bigger than just winning \$40 million for transportation programs, he said. Columbus groups have offered an additional \$90 million in investment if Columbus, one of seven national finalists, lands the grant this summer.

"It makes us bigger as a city and as a state nationally," Sen. Brown said. "There will be all kinds of creative people in Central Ohio parlaying that into all kinds of things."

Sen. Brown also said he didn't think the CMAX program precludes Columbus from receiving funding for possible light rail programs later on.

"We're not saying no to light rail," he said. "I think that nothing's off the table."

Restraining Order Extended In Planned Parenthood Defund; Group Reaches Settlement Over Fetal Remains

Planned Parenthood scored two legal victories in recent days, including Wednesday's extension of a temporary restraining order preventing the state from defunding the organization.

The TRO extension was issued by federal Judge Michael Barrett and will remain in effect until Aug. 5. Another hearing on the matter is scheduled for Aug. 2.

Planned Parenthood cheered the ruling in a statement issued Wednesday afternoon.

"Without the action by the court today, some of Ohio's most vulnerable citizens would be left without health care options. Especially for families in underserved areas, Planned Parenthood is the only place to turn," said Iris Harvey, president and CEO of Planned Parenthood of Greater Ohio.

"Our government should be supporting programs that serve to improve the health and safety of our communities, not using Ohioans as political pawns. We want the people of Ohio to know one thing: Our doors are staying open, no matter what."

Right to Life Ohio blasted the ruling as judicial activism.

"The decision to extend the restraining order casts a light on the might and influence of Big Abortion, even in a pro-life state. Despite the will of Ohio voters, an unelected judge just halted their democratically enacted, constitutional law by another two months," spokeswoman Katherine Franklin said in a statement. "The conscience rights of all Ohioans, including pro-life Ohioans, matter. By preventing the enactment of this legislation, the judge is sending the opposite signal to half of Ohio's voters."

The defunding of the group - which would cost Planned Parenthood \$1.1 million annually in state money - was approved by lawmakers through a bill (HB 294) signed into law by Gov. John Kasich earlier this year. The cutoff was set to go into effect on May 23.

However, Judge Barrett last week initially issued a temporary restraining order through June 6, ruling the organization was likely to succeed in its lawsuit on both First Amendment and Fourteenth Amendment grounds. (See Gongwer Ohio Report, May 23, 2016)

In a separate case, the organization has reached a settlement with the Department of Health that will require the state to pay \$45,447 in attorney fees. Federal Judge Edmund A. Sargus Jr. will maintain jurisdiction over the case to ensure the settlement agreement is enforced.

The settlement stems from an investigation by Attorney General Mike DeWine that allegedly found that Planned Parenthood affiliates violated Ohio Administrative Code by handing over fetal remains to companies that dispose of them in landfills - a claim the group denied. (See Gongwer Ohio Report, December 11, 2015)

The court, however, issued a 28-day temporary restraining order against any legal action stemming from the AG's investigation into the group's abortion policies. (See Gongwer Ohio Report, December 15, 2015)

Soon after, Mr. DeWine announced that he would not enforce the "humane disposal" section of the Administrative Code while the Department of Health and General Assembly sought to further clarify the law. (See Gongwer Ohio Report, December 18, 2015)

Mr. DeWine's investigation led to a flurry of legislative activity, including a measure (HB 417) that would require the woman seeking an abortion to choose either burial or cremation. Another bill (HB 419) would require the director of the Department of Health to adopt rules requiring abortion facilities to dispose of fetal remains by burial or cremation. Similar legislation (SB 254) was introduced in and recently cleared the Senate.

Senate, Committees Set To Return Late September

The Senate and its committees are set to return to Columbus in late September, according to a schedule released by the chamber on Wednesday.

Senate President Keith Faber (R-Celina) has set session and committee dates on September 27, 28 and 29, followed by meetings on October 4, 5 and 6.

The chamber could then return to action after the November election, with if-needed dates set for November 9 and 10.

Dates are also scheduled for November 15, 16, 22 (if needed), 29 and 30.

The chamber is set for session and committee dates on December 1, 6, 7 and 8, with if-needed sessions on the 13th, 14th, 15th and 28th.

The House last week released its schedule for the remainder of the year, with the calendar showing as many as eight session dates. None of the dates on the House schedule are before the election. (See Gongwer Ohio Report, May 27, 2016)

State Plans Quicker Notification For Harmful Algal Blooms

State agencies have retooled their approach to public outreach efforts when it comes to harmful algal blooms in the state's recreational waterways.

The Ohio Environmental Protection Agency and the departments of Health and Natural Resources, in a joint announcement, recently outlined a new strategy to increase awareness among citizens before they enter the water.

As part of the plan, the state will be quicker in issuing public health advisories by basing those alerts solely on the levels of harmful algal bloom toxins, such as microcystin, ODH Medical Director Mary DiOrio said.

Advisories were previously declared only following documented health issues thought to be caused by algal toxins.

"As we continue to better understand harmful algal blooms and the toxins they may produce, we have eliminated the previous requirement for a probable case of an algal bloom-related human illness or a pet death before issuing an elevated recreational public health advisory," Dr. DiOrio said.

In addition to faster public warnings, the state will rely on a website to provide a roundup of ongoing advisories and other pertinent data.

"We are encouraging people to 'know before you go' by checking our BeachGuard website," Dr. DiOrio said. "BeachGuard lists any recreational public health advisories and water quality data for some toxins and E. coli bacteria for Ohio state park lake beaches and boat ramps as well as participating non-state public and private beaches."

Another key component of the new awareness effort is a revamped signage system. A white sign will be posted at all state park beaches and boat ramps, describing the appearance of algal blooms and instructing visitors to be on the lookout.

If an algal bloom is confirmed or when toxin levels are equal to or exceed the designated threshold - six parts per billion for microcystin - orange "warning" signs will be added to the white signs. These signs will state swimming and wading are not recommended for children, pregnant or nursing women, those with certain medical conditions, and pets.

A red "danger" sign will be added if and when algal toxin levels are equal to or exceed a designated threshold - 20 parts per billion for microcystin. That sign will confirm unsafe toxin levels have been detected and instruct visitors to avoid contact with the water.

The agencies are encouraging non-state public and private waters to also adopt the new strategy.

The announcement follows OEPA's recent unveiling of draft phosphorus reduction targets in Lake Erie, which could help reduce such blooms. The plan is part of a multi-state, binational agreement to lower phosphorus levels by 40% by 2025. (See Gongwer Ohio Report, May 26, 2016)

But Ohio Environmental Council Clean Water Director Adam Rissien has since said the plan doesn't go far enough in curbing runoff pollution from agriculture companies which can feed algae growth.

"Certainly the plan demonstrates a strong commitment to reduce toxic algae, but in order to ensure its success, further action is necessary," Mr. Rissien said. "Real progress requires policies for widespread adoption of conservation practices and proper applications of fertilizer and manure."

OEPA Director Craig Butler and the Army Corps of Engineers, meanwhile, have sparred in recent months over the potential existence of a "toxic blob" in Lake Erie. Although the OEPA says water sampling "clearly shows" the blob's existence, the Corps insists "no credible scientific evidence supports" that idea. (See Gongwer Ohio Report, May 6, 2016)

ODP Questions Trump's Support For Veterans Following Billionaire's Contentious Press Conference

The Ohio Democratic Party's chairman labeled Donald Trump a "fraud" who is "using veterans as a prop" a day after the billionaire sought to satiate questions of whether he had fulfilled promised donations to veterans groups.

Chairman David Pepper and retired Army Capt. Paul Worley, chair of the ODP veterans' caucus, added their voices to those criticizing the GOP presumptive nominee following Mr. Trump's press conference Tuesday in Trump Tower.

During that press conference, Mr. Trump outlined how he had donated the \$5.6 million raised by a January fundraiser he organized to compete with a Fox News presidential debate.

After the fundraiser, Mr. Trump repeatedly told media and supporters he had raised more than \$6 million from the event. But media reports - including a May 24 report from the *Washington Post* - continued to show that about half that money had not been donated.

Mr. Trump responded this week, outlining how much money had been sent to which groups. Several of those checks - including a \$1 million donation from Mr. Trump that he claimed to have made previously - were written last week, the same day the billionaire was interviewed by the *Post* on the fundraising discrepancy, according to the Associated Press.

"I think over the course of (yesterday) and today we've learned the truth: that Donald Trump is a fraud whose only concern is what's in it for him," Mr. Pepper said in a media call hosted by the Democratic National Committee.

"In this case it's clear that veterans were nothing more than a prop for Donald Trump when he needed them...and he only actually paid up what he said he'd already paid when called on it later," Mr. Pepper continued. "All this shows Donald Trump is not fit to be president."

Mr. Trump attributed the delay in issuing the checks to the process of vetting the various charities. He did not explain the discrepancy between the \$5.6 million figure and his previous claims to have raised more than \$6 million. He said veterans were greatly pleased by his contribution and support.

"I have raised a tremendous amount of money for the vets," Mr. Trump said. "I have been thanked by so many veterans groups throughout the United States."

He made additional headlines Tuesday for the combative nature of his press conference, during which he blasted the media - calling one reporter "a sleaze" - and said he would continue that contentious relationship with the media if elected president.

Mr. Worley, an Adams County commissioner who served three tours in Iraq and Afghanistan, questioned Mr. Trump's leadership following the candidate's early criticism of Sen. John McCain for being captured as a prisoner of war and for his conflicting statements on the permissibility of torture.

"Trump is a classic example of someone who will promise things - say he's doing things for veterans - but will turn around and not follow through on his promises," Mr. Worley said. "He is not a leader that cares about people. He only cares about himself."

During Mr. Trump's press conference, 22-year retired Marine and New Hampshire State Rep. Al Baldasaro shot back against claims Mr. Trump doesn't support veterans.

"I would never in a million years put my name on a candidate who did not from his heart look me in the eye and tell me he is concerned about veterans," Mr. Baldasaro said, urging the media to "get your heads out of your butts and focus on the real issues."

Politics Notebook: ACLU Concerned With RNC Media Restrictions; Brown Talks Pensions; Portman Airs First TV Ads...

On Wednesday, the ACLU of Ohio voiced concerns that potential flight restrictions and new credentialing procedures will hinder media access to the Republican National Convention.

In a letter to media outlets, ACLU Legal Director Freda Levenson said, "Increased control by the government over media access at the RNC presents serious First Amendment concerns."

Journalists planning to cover the July event in Cleveland must currently be screened and credentialed by the Secret Service. And expanded use of flight restrictions could be implemented by the Federal Aviation Administration to create no-fly zones around the event.

"The new credentialing process may reduce the ability of reporters to get access to events as they unfold," Ms. Levenson wrote. "Restrictions put in place by the FAA could completely block the ability of news agencies to obtain aerial footage of the convention, protests, and the actions of law enforcement."

A day prior, Cleveland leaders announced new security plans for the event, which is expected to draw 50,000 people. Officials didn't provide specifics - saying that doing so could compromise security - but outlined the training and organizational efforts being undertaken in advance of the event.

The same day, the RNC Host Committee announced a joint beautification effort to establish "a brighter, more welcoming experience along the main pedestrian and vehicular thoroughfares in downtown Cleveland."

Pensions: U.S. Sen. Sherrod Brown (D-Avon), while in Columbus with federal transportation officials to present a \$37 million grant to the Central Ohio Transit Authority (*see separate story*), criticized Senate Majority Leader Mitch McConnell (R-Kentucky) for blocking a bill Sen. Brown sponsored to shore up pension plans for miners.

Sen. Brown has been pushing for the Senate to consider the Miners Protection Act he sponsored alongside Sen. Joe Manchin (D-W.Va.) before breaking for the summer. The bill is an effort to address the shortfall in the United Mine Workers of America's 1974 pension plan, which was 94% funded before 2008 and is now severely underfunded due to the financial crisis and fewer active workers, according to Sen. Brown's office.

"One senator, the Republican leader in the Senate, has blocked the Senate from doing its job to protect these miners," Sen. Brown said.

Sen. Brown stressed the "urgent need" to address the pension shortfall in a letter to Sen. McConnell last week.

The senator also said he hoped lawmakers could work together to fix similar pension concerns faced by Teamsters.

Cincinnati Zoo: Rep. Denise Driehaus (D-Cincinnati) urged citizens to wait for investigations to conclude before jumping to conclusions about the recent killing of a gorilla after a 3-year-old boy entered the animal's exhibit.

A 17-year-old silverback, named Harambe, was shot and killed May 28 after the boy crawled into the exhibit and fell 15 feet into a moat separating the animals from visitors. Protestors said the gorilla appeared to be protecting the boy, although video, which does not show the entire ordeal, shows the 450-pound animals dragging the boy by the leg through the moat several times.

Protestors argue workers should have tranquilized the animal. But zoo officials contend doing so could have enraged the gorilla and that tranquilizers would take up to 10 minutes to go into effect.

In the wake of the incident, Sen. Cecil Thomas (D-Cincinnati) told the *Cincinnati Enquirer* he's looking into whether a law should be drafted to levy fines or criminal charges on one who causes the death, by their negligence, of an endangered animal.

In a statement Wednesday, Rep. Driehaus said she'd spoken "at length" with Cincinnati Zoo Director Thane Maynard and urged caution from those judging actions of zoo officials and the family involved.

"I trust the zoo officials and am confident they exercised their best professional judgment given the harrowing circumstances," Rep. Driehaus said. "Though losing Harambe is truly tragic, our community can take comfort in the fact that the zoo prevented the serious injury or death of a three-year-old child. I am thankful the zoo protected this young boy's life."

Later in the day, the *Enquirer* reported that an investigation had concluded and no charges would be filed.

U.S. Senate Race: U.S. Sen. Rob Portman's (R-Terrace Park) reelection campaign launched his first television ads this week.

The three ads are intended to showcase Sen. Portman's efforts to combat the prescription drug and heroin epidemic. They're part of a \$15 million ad buy stretching until November that was announced last month. (See Gongwer Ohio Report, May 12, 2016)

"Working together with Democrats and Republicans, I passed legislation to help break the grip of addiction," Sen. Portman said in one of the ads. "By investing in prevention, treatment, and recovery, empowering law enforcement, and stopping the over prescribing of painkillers, we can turn the tide."

NARAL Pro-Choice America, meanwhile, announced its own ad campaign targeting Sen. Portman. The campaign is aimed at pressuring Sen. Portman and other Republicans to fulfill the ongoing Supreme Court vacancy.

"NARAL is stepping up to ensure Sen. Portman does the job the people of Ohio elected him to do," NARAL Senior Vice President Sasha Bruce said.

Sen. Portman, who like many of his colleagues believes the next president should fill the post, previously said his stance is "the right thing for the country." (See Gongwer Ohio Report, May 9, 2016)

Former Democratic Gov. Ted Strickland, who's running in an effort to unseat Sen. Portman, landed the endorsement of the American Federation of Teachers, the group announced Wednesday.

"The future of our state depends on whether we are committed to our children," Ohio Federation of Teachers President Melissa Cropper said. "Ohio students and parents need the kind of arduous support Governor Strickland provides in making education his highest priority."

Capitol Scene: Kasich Names Kalmbach Press Secretary; Buckeye Institute Adds Research, Communications Staff

Gov. John Kasich on Wednesday named Emmalee Kalmbach as his press secretary.

Currently the communications director for Lt. Gov. Mary Taylor, the Bob Jones University graduate recently served as a member of the communications team for the governor's presidential campaign.

The native of Littleton, N.H. is also the former communications director for the Massachusetts Republican Party.

Ms. Kalmbach replaces Joe Andrews, who has been serving as the governor's interim press secretary since Rob Nichols departed last summer to work on the campaign. Mr. Andrews will return to his position as communications director for the Department of Public Safety.

In another development impacting the governor's staff, Jon Keeling, a former political blogger and deputy communications director for Mr. Kasich, has been named spokesman for the Department of Job and Family Services.

Buckeye Institute: The Columbus-based free market think tank on Wednesday announced two new staff members with the aim of focusing on budget and labor issues.

Orphe Divounguy was named economist in the Institute's Economic Research Center, and Jeff Reed will serve as the group's communications director.

Mr. Divounguys research will focus on current economic issues, including public assistance programs and labor policies, and will entail "dynamic" scoring and analysis of

budgets in Ohio and other states, according to the group. Mr. Reed will lead the organization's state and national press relations and marketing.

"We are excited about the ideas and experience Jeff and Orphe bring to The Buckeye Institute and to Ohio," President and CEO Robert Alt said in a statement.

"The expansion of our Economic Research Center will make Buckeye the go-to resource for economic analysis of legislation. And Mr. Reed's extensive background in marketing will assure that our ideas are seen around the state and across the country."

Mr. Divounguy holds degrees from England's University of Southampton, and after receiving his Ph.D., he served as a teaching and research fellow and international economic consultant.

Mr. Reed previously served as the global communications leader for Corporate Responsibility at Indiana-based Cummins Inc. The Ohio University graduate previously held posts with the Friedman Foundation for Educational Choice and the American Legislative Exchange Council in Washington, D.C.

Governor's Appointments

Community Schools Dropout Recovery Study Committee: Alex Johnson of Solon for a term beginning May 31, 2016 and continuing at the pleasure of the governor.

Cleveland State University Board of Trustees: Todd C. Davidson of Cleveland for a term beginning May 31, 2016 and ending May 1, 2025.

Hamilton County Court of Common Pleas: Thomas D. Heekin Jr. of Cincinnati will assume office on June 6, 2016 and must run in the November 2016 general election to retain the seat for the full term commencing January 4, 2017. Mr. Heekin holds degrees from the University of Colorado and University of Cincinnati. He has been a criminal litigator for Heekin & Heekin since 2002.

State Employment Relations Board: J. Richard Lumpe of Columbus for a term beginning June 1, 2016 and ending October 6, 2021.

Supplemental Agency Calendar

Thursday, June 2

Elections Commission, Rm. East B., 31st Fl., 77 S. High St., Columbus, 10 a.m.

Monday, June 6

STEM Designation Committee, 25 S. Front St., Columbus, 1 p.m.

Wednesday, June 8

Consumers' Counsel Governing Board, Suite 1800, 10 W. Broad St., Columbus, 9 a.m.

Thursday, June 16

Expositions Commission, Voinovich Center, 717 E. 17th Ave., Columbus, 11 a.m.

Supplemental Event Planner

Thursday, June 30

20th Annual Rockin' Fiscal Eve, Miller's Ale House, 1201 Olentangy River Rd., Columbus, 5 p.m.,
(All-invited celebration
of the end of MBRs in FY 2016 with MBRs (Massive Beer Rounds). Parking adjacent to building.)

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Senate Activity for Wednesday, June 1, 2016

INTRODUCED

SB 337 ■ **ROAD NAMING (Hughes, J.)** To designate a portion of Interstate Route 270 in Franklin County as the "Hilliard Patrol Officer Sean Johnson Memorial Highway." Am. 5534.44

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Daily Activity Planner for Thursday, June 2

Legislative Committees

No legislative committees scheduled.

Agency Calendar

Construction Industry Licensing Board, 6606 Tussing Road, OCILB Conference Room, Reynoldsburg, 10 a.m. (HVAC Section)

Elections Commission, Rm. East B., 31st Fl., 77 S. High St., Columbus, 10 a.m.

State Employment Relations Board, 65 E. State St., 12th Fl., Columbus, 10 a.m.

Event Planner

Ohio Department of Taxation public hearing on proposed current agricultural use values, 22nd Floor, 30 E. Broad Street, Columbus, 10 a.m.

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Subject: Hannah News Stories for Wednesday, June 1, 2016

Wednesday, June 1, 2016

IN TODAY'S HANNAH REPORT:

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Today's Stories

- [Senate Announces Sessions for Rest of 2016; Composite Schedule Included with Today's Report](#)
- [Ohio First State to Launch STABLE Accounts under Federal Law](#)
- [Federal Judge Extends Block on Planned Parenthood Defunding Bill](#)
- [Local Leaders, OhioMHAS Join for Recovery Summit](#)
- [OTA Convention Features Next Gen 9-1-1 Discussion](#)
- [Last Week of Session Sees Legislature Finish Work on 35 Bills](#)
- [Study Panel to Consider Dropout Recovery School Issues](#)
- [State Government Roundup: Governor; AG](#)
- [Campaign Corner: Mary Taylor](#)
- [People in the News: Buckeye Institute](#)
- [Ohio Digest: COTA Funds](#)
- [Campus Chronicle: Special Education Grant](#)

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Sent: Tuesday, September 6, 2016 5:49 PM
To: Zielinski, Justin
Subject: Ohio Report, Tuesday, September 6, 2016
Attachments: Sep6House.htm; 160906dayplan.htm; Sep6.htm



Ohio Report for Tuesday, September 6, 2016

Stakeholder Group Reconvenes To Recommend Sponsor Evaluation Updates

House District 16: Cuyahoga Councilman Faces Democratic Operative In Battle For Baker Seat

Buckeye Institute Calls For More Union Decertification Votes, Policy Matters Ohio Urges Lawmakers To Promote Unionization

State Board Looking To Help 2,000 Displaced Ohio ITT Students

Ohio Sees Drop In Obesity Rate, But Trends Show Continued Rise In Diabetes, Hypertension, Report Says

Trump, Clinton Spend Holiday Campaigning In Ohio

Democratic PAC Cancels \$3M More In Strickland Ads; Nicklaus Backs Portman

From Congress: Brown, Portman Praise Trade Ruling On Steel; Kaptur Welcomes \$2M In Housing Funds; Latta Tours OSU Radio Optics Lab...

Court Briefs: Court Rules Meigs County Charter Proposal Should Move Forward; Man Injured At Basketball Game Loses Case; Attorneys Reprimanded...

Supplemental Agency Calendar

Supplemental Event Planner

Activity Reports

House

Calendars

Day Planner

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House Activity for Tuesday, September 6, 2016

INTRODUCED

HB 594 ■ **COMMUNITY SCHOOLS (Roegner, K.)** Regarding public moneys returned to the state as a result of a finding of recovery issued pursuant to an audit of a community school. Am. 3314.52

HOUSE SPEAKER'S APPOINTMENTS

State Audit Committee: Ranjan Manoranjan

Ohio Public Employees Deferred Compensation Board: Rep. Boggs

Task Force for Creating Opportunities for Shared Governance on Co-Located Campuses:
Representative Schuring; Dr. Para M. Jones and Natasha Pollock

Insurance Committee: Appoint Rep. Brinkman as chair

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Daily Activity Planner for Wednesday, September 7

Legislative Committees

No legislative committees scheduled.

Agency Calendar

Board of Building Appeals, Ohio Department of Transportation, District Three Office, Conference Room, 906 Clark Avenue, Ashland, 8:30 a.m.

Board of Building Standards, 6606 Tussing Road, Training Room 1, Reynoldsburg, 9 a.m. (Code Committee)

Real Estate Commission, Division of Real Estate and Professional Licensing, 77 South High Street, 22nd Floor, Columbus, 9 a.m.

Southern Ohio Agricultural & Community Development Foundation, 100 S. High St., Hillsboro, 9 a.m. (Agriculture Development Committee)

Petroleum Underground Storage Tank Release Compensation Board, 50 West Broad Street - Suite 1500, Columbus, 10 a.m.

State Personnel Board of Review, 65 E. State St., 12th Fl., Columbus, 10 a.m.

Public Utilities Commission of Ohio, 180 E. Broad St., 11th Fl., Columbus, 1:30 p.m.

Event Planner

Sen. Bill Beagle (R-Tipp City) & Sen. Bob Peterson (R-Sabina) golf outing fundraiser, County Club at Muirfield Village, 8715 Muirfield Drive, Dublin, 8:30 a.m., (\$1,000 Total Contribution. Golfers pay for their own golf. Please make separate checks for \$500 each payable to Citizens for Bill Beagle & Peterson for Good Government)

House Democrats legislative agenda news conference, West Steps, Statehouse, Columbus, 11 a.m.

Rep. Scott Ryan (R-Newark) and Rep. Rob McColley (R-Napoleon) fundraiser, Due Amici, 65 E. Gay Street, Columbus, 11:30 a.m., (Chair: \$1,000; Sponsor: \$500; Host: \$350 to Citizens for Scott Ryan and/or Citizens for McColley)

Release of August casino revenue figures, 1:30 p.m.

Sen. Jim Hughes (R-Columbus) fundraiser, Victory's, 543 S. High St., Columbus, 5 p.m., (Sponsor: \$2,500, Host: \$1,500, Patron: \$1,000 to Committee for Jim Hughes)

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Volume #85, Report #172 -- Tuesday, September 6, 2016

Stakeholder Group Reconvenes To Recommend Sponsor Evaluation Updates

A group of charter school sponsors who previously worked to update the process by which they are evaluated has reunited to offer new recommendations as the Ohio Department of Education heads back to the drawing board.

Sponsors have been raising concerns about a change in evaluation practices since they were introduced last year, but the time is ripe for them to step in and make their voices heard following the Joint Committee on Agency Rule Review's shelving of a rule dealing with the compliance portion of the reviews.

St. Aloysius representative Dave Cash said he recently reconvened a stakeholder group that had been defunct for the past three years, hoping that JCARR's decision could provide an opportunity for members to provide feedback and offer suggestions on the evaluations.

JCARR leaders have since said they expect the ODE to present an updated rule and the Common Sense Initiative has asked the agency to collect additional public comments.

"We anticipated JCARR would send the rule back and get stakeholder feedback that they did not get the first time. Who better to try to provide some of that stakeholder input than the ones who were involved in the evaluation to begin with?" Mr. Cash said in an interview.

"We've put a significant amount of resources into trying to put an evaluation tool together that was then not finished out and then not implemented well and it all fell apart. We felt it was our obligation to try to step up and offer recommendations to fix it."

The group, which includes representatives from the Ohio Association of Charter School Authorizers, Ohio Coalition for Quality Education, Ohio Alliance for Public Charter Schools, Reynoldsburg City Schools, and the Thomas B. Fordham Foundation, originally began meeting in 2012.

At that time, members - who were also joined by representatives of the National Association of Charter School Authorizers and ODE employees - spent a year and a half crafting a process to measure sponsor compliance and piloting it throughout the state.

Their recommendations on compliance became part of the previous sponsor evaluation that was never fully implemented and was ultimately revamped because it came to light that sponsor ratings were miscalculated by then-Office of School Choice Director David Hansen.

Sticking with some of the same premises as the last time they were active, the group is also taking into consideration new laws as it drafts updated recommendations, some of which have already been presented to CSI and ODE, Mr. Cash said.

Earlier this week, the group created a process and timeline for the compliance portion of the evaluation. It would require the validation of just 10% of the items on the compliance list, but those items would be selected at random.

The group has also suggested that a number of items be removed from the list, the OCQE's Beth Lear said. Of the 319 items schools were required to verify compliance with, the group found that 15 were not required under law, 12 required sponsors to confirm a negative and 78 were documents to which ODE already has access.

Their recommendations were submitted the same day Superintendent of Public Instruction Paolo DeMaria sent the State Board of Education a memo stating that the agency would revert back to the current rule for the compliance portion of the reviews and continuing working on the new proposal. (See Gongwer Ohio Report, September 1, 2016)

Under those compliance guidelines, ODE would examine whether all rules and laws are being met at just 10% of sponsors' schools as opposed to all of them.

Mr. Cash said that system isn't preferable because sponsors only have to certify that a number of the compliance items are being met.

Allowing sponsors to verify information without a system in place to check for validity puts the state back in the same position it was in when it asked the stakeholder group to make recommendations for a new evaluation process in 2012, he said.

"We wanted to make sure who was performing well and who was not performing well. We wanted tools so we could show we were doing the work we said we were doing," he said, adding that the previous evaluation system simply required sponsors to tell the agency whether they were meeting standards or not.

Mr. Cash said ODE has not responded to the new recommendations or voiced interest in rejoining the conversation.

"They've got to be a partner with us in this work," Mr. Cash said. "They're responsible for the Ohio system of public education and there are 400 charter schools and 120,000 students (that attend them) - that's a significant portion of Ohio's public education system and we need ODE to be partner with us on that so we can keep doing good work."

Ms. Lear said it's also important for ODE to work with sponsors on evaluation system updates because the agency also sponsors a number of charter schools.

"It doesn't really look good for one sponsor to be setting the rules for all sponsors," she said in an interview.

ODE's Brittany Halpin said, "We've received the letter and we always appreciate the input of our stakeholders."

Up next, the group said it plans to offer suggestions for changing the quality and compliance portions of the evaluations following a Sept. 12 meeting.

Mr. Cash said the latest academic portion of the review is concerning because it's centered on report card scores of schools in sponsors' portfolios, despite the fact that sponsors do not have the ability to make curriculum decisions or choose school teachers and leaders.

"All I can do as a sponsor is say, 'You promised you were going to have a school that was going to perform at this level and so far you're not getting there.' I don't have the ability to go ahead make a direct impact on their performance," he said.

House District 16: Cuyahoga Councilman Faces Democratic Operative In Battle For Baker Seat

The race to replace term-limited Rep. Nan Baker (R-Westlake) for a seat in suburban Cleveland pits a Republican veteran of local government against a young native of the area with experience working in state and national politics.

Republican nominee Dave Greenspan, 51, of Westlake, is a member of Cuyahoga County Council who moved to Ohio in 2007 from the Atlanta area. He faces Democrat Tommy Greene, 28, a Bay Village native who is the son of a steelworker and a teacher's aide.

Neither candidate faced a primary challenge in the district, which leans Republican.

Mr. Greenspan touted his experience in local government and his ability to work across the aisle. A native of New Jersey who's lived in a number of states and attended Troy University in Alabama, he served on the inaugural city council in Sandy Springs, Ga., when the city was incorporated in 2005. After moving to the Cleveland area in 2007, he was elected to the first Cuyahoga County Council in 2010.

He immediately focused on ethics, chairing the council's ethics committee, he said.

"Coming into a new government, especially one coming out of such deep-rooted corruption, I felt it was very important that the residents and businesses of Cuyahoga County and Northeast Ohio knew that their government was going to be working for them," he said in an interview.

The married father of three doesn't just start up local governments. He has an accounting degree and has spent much of his career as a chief financial officer for a number of companies, mostly startup ventures. He's also been the chief operating officer for the PGA Tour radio network.

He now runs a small business, Green Elk Consulting Services, which provides financial and other advice to startup and turnaround businesses.

Mr. Greene is a graduate of Ohio University who has worked for Equality Ohio and interned for Sen. Sherrod Brown (D-Avon). He now works in business development for North Water Partners, a company in the Ohio City area of Cleveland.

The Democrat grew up in Westlake and Bay Village. He said part of the reason he became interested in politics was because his father lost his job when the steel mill where he worked closed in 2001. Following that, his father took him to a rally that included Sen. Brown and former U.S. Rep. Dennis Kucinich.

"That's when I realized that when families are going through a hard time, they turn to their elected officials not for a handout or for them to answer all of their problems, but to be standing with them when things are going wrong and to be able to provide solutions to make the families a little bit stronger in the future," Mr. Greene said in an interview.

Families, through jobs and education policy, will be a focus for Mr. Greene.

"I kind of view my role as being able to strengthen Ohio's families," he said. "There's a handful of ways we can do that," including more oversight of charter schools. Education funding, particularly for public schools, will be a priority, he said.

He also said he wanted to see more infrastructure development, including pushes for Ohio to develop more clean energy products. Toledo could build more solar panels, for example, he said.

"We have a proud manufacturing history and Ohio has to be a place where we build things," he said. "We can't just be a 100% service sector economy. We have to be a manufacturing state in Ohio."

Mr. Greenspan said he has focused on a wide variety of issues during his time in public office, and believes a comprehensive approach is important. Education and drug problems are both tied to jobs.

A priority for the state, he said, is to develop a workforce of people who are able to do jobs and pass drug tests.

"We have to continue to develop what I refer to as a competent workforce. I think we all can agree that the state is continuing to move the needle in a positive direction toward workforce development," he said, but the work needs to continue.

He said he wants to see a "holistic, total" approach to the economy, one that includes focusing on education to produce good workers, luring in a wide variety of industries, and matching qualified workers with open positions.

"If you look at it in its totality, if you look at it as one big direction to move our state, it's my belief that all of those issues move us in a positive direction," he said.

"Unless you've lived this, unless you've served at the city level, unless you've served at the county level, it's hard to understand how these issues come together," he said.

Mr. Greene, who is openly gay, said nondiscrimination is also an economic development issue. When he worked for Equality Ohio, he said, one of his duties was to talk to executives about the need for nondiscrimination laws in order to recruit talented workers from other parts of the country.

"If Ohio is going to be open for business, we need to be open for talent," he said.

Mr. Greene said his campaign team has been organized and working in the community to spread his message.

"I'm out there every day talking to voters about how we're going to move our state forward," he said.

"I believe regular working families need an advocate in Columbus," he added.

Mr. Greenspan said he believes his experience as an elected official - particularly in a county council district that spans the same cities as the legislative district - sets him apart. He said he is also stressing his willingness to work across the aisle to get things done.

"We have to be able to all work together, collectively, to create the environment in our state to move in the right direction," he said.

His campaign has knocked on more than 27,000 doors already, he said.

"I've represented this district for nearly six years. I believe that I understand the opportunities and the challenges of the district," he said.

Buckeye Institute Calls For More Union Decertification Votes, Policy Matters Ohio Urges Lawmakers To Promote Unionization

In the wake of the Labor Day holiday, two groups offered competing visions on how to improve the lives of working Ohioans.

In a report released by the Buckeye Institute, the group proposed that Ohio lawmakers make it easier for state and local government employees to decertify their unions. Policy Matters Ohio, meanwhile, released a report calling for lawmakers to make it easier to join and form unions.

According to the Buckeye Institute's report, "One Man, One Vote, One Time? Re-election Votes Hold Unions Accountable to Their Members," there are more than 3,100 bargaining units covering about 300,000 state and local government employees across Ohio. However, most of those employees have had no say in their representation, it said.

"Ohio makes it very difficult for workers to have a voice in their unions," Robert Alt, Buckeye's president and CEO, said in a statement. "Under current law, the ability for union workers to hold an election is far more cumbersome than how we conduct our elections for public officials. And elections keep people accountable."

In the past three years, just 14 validly submitted decertification petitions have been submitted to the Employment Relations Board. Unions prevailed in three of those re-election efforts, the report found.

The report, however, said the decertification process is a cumbersome one, providing a 30-day window in which 50% of government employees in a bargaining unit need to sign a petition to trigger a vote.

"Just as voters hold their public officials accountable so, too, should workers be able to call for better representation," Rea Hederman Jr., executive vice president of The Buckeye Institute, said. "Ohio should follow the lead of other states by requiring their government unions to regularly stand for re-election, which will only improve their responsiveness to member needs."

The report goes on to list several complaints unionized employees have with their bargaining units, including dues spent on political activities, leaders' salaries and "insufficient" leadership elections.

"Union members should have the freedom to regularly decide whether to remain unionized. Such re-election votes would make unions more accountable to their members," the report concludes. "They would force union leaders to serve their members' interests instead of pursuing their own priorities. Workers deserve the ability to hold their union regularly accountable. Meaningful representation does not mean one man, one vote, one time."

But in its report, "Still struggling: State of Working Ohio 2016," Policy Matters Ohio says lawmakers should be promoting unionization.

Unionized workers in Ohio made about \$4 more per hour than their non-unionized counterparts in 2015, according to the report.

"Unions improve wages but Ohio's legislators and governor have often taken steps to weaken unions and reduce the number of workers who can get the protection, training and compensation benefits that come with being a member of a labor union. In order to broaden unionization in Ohio, the state should reject the misnamed 'right-to-work' initiative - states that take this approach end up with lower wages," the report reads

"Ohio should also allow home health workers and childcare workers to become part of a union - two particularly important and low-wage occupations that were once promised the right to organize into unions. For both groups, Gov. Kasich has eliminated the right to join a union and bargain collectively."

The report goes on to state that unions can reduce inequality for black and female workers. It found that black unionized workers make \$4.31 more per hour than their non-unionized counterparts while women in unions make \$3.91 more per hour.

"Ensuring that more workers can join unions will better spread the benefits of unionization," the report states.

State Board Looking To Help 2,000 Displaced Ohio ITT Students

ITT Technical Institute's parent company announced Tuesday it is pulling the plug on its 137 campuses across the country, officially displacing about 2,000 Ohio students and an unknown number of employees.

Left to help fill in the gap is the Ohio State Board of Career Colleges and Schools, which is stepping in to ensure displaced students aren't left behind by the closure of the Indiana-based company that served nearly 45,000 students in 38 states.

"This is going to be a difficult process I'm sure, but we'll continue to work with the students," Board Executive Director John Ware said in an interview.

The closure had been expected ever since the federal government late last month unveiled an array of penalties, including banning the school from enrolling students with federal financial aid, after the school was found to be out of compliance with accreditation criteria.

The company on Tuesday confirmed that after assessing its options, the sanctions were deemed a death knell.

"It is with profound regret that we must report that ITT Educational Services, Inc. will discontinue academic operations at all of its ITT Technical Institutes permanently after approximately 50 years of continuous service," the company announced in a press release.

"With what we believe is a complete disregard by the U.S. Department of Education for due process to the company, hundreds of thousands of current students and alumni and more than 8,000 employees will be negatively affected."

As of Tuesday, the company had already eliminated the "overwhelming majority" of its employees and said remaining staff members are prioritizing helping displaced students determine their options.

The state board has been working on contingency plans for the students enrolled at ITT's nine Ohio campuses since the August penalties were announced, Mr. Ware said. The fact that those campuses are spread out across all corners of the state poses a particular challenge, he added.

He said the board has been working to enlist other schools for teach-out agreements in which case the school would agree to accept displaced students' ITT credits and any related financial aid. The board will be emailing a list of those schools to students this week, he said.

"Sometimes it depends on how far along in their program they are and what program they are in so we'll have to figure that out for each student - what they need to do," he said.

Alternately, he said, the board will work to connect students unable to continue their program elsewhere with the U.S. Department of Education where they could receive a loan discharge.

"We'll work with ITT to make sure students have access to their transcripts and records and anything like that the students would need going forward," Mr. Ware said. "We've already had communication about this and I know ITT was going to send an email with some of this information out to their students sometime today."

ITT's closure is the latest result of a crackdown of the federal government on for-profit colleges, although Mr. Ware said most previous closures "have been more orderly than this."

"It's been a painful process," he said.

Among the penalties levied against ITT was a requirement the company increase its existing surety from \$94 million to more than \$240 million - or 40% of all Title IV aid the school received in 2015 payable in full. The company pointed to that stipulation specifically as to why it is unable to continue operations.

"We believe the government's action was inappropriate and unconstitutional, however, with the ITT Technical Institutes ceasing operations, it will now likely rest on other parties to understand these reprehensible actions and to take action to attempt to prevent this from happening again," the company said.

In a message to ITT students, U.S. Education Secretary John King acknowledged the news will have a "deeply personal" impact on affected students and, vowing to support students as they work through their options, encouraged students to not give up on their education.

Ohio Sees Drop In Obesity Rate, But Trends Show Continued Rise In Diabetes, Hypertension, Report Says

Ohio was one of four states that saw its obesity rate fall in 2015, according to a report from the Trust for America's Health and the Robert Wood Johnson Foundation.

The Buckeye State ranked 26th in the U.S. with an adult obesity rate of 29.8%. That's down from 32.6% a year earlier.

Although Ohio saw a drop year-over-year, the rate was still well above what it was a decade earlier, when 24.9% of Ohio adults suffered from obesity, according to the report. In 1995, the rate was 16.1%.

The drop in Ohio and three other states - Minnesota, Montana and New York - was the first time in the last decade that any states experienced decreases except for Washington, D.C., in 2010.

Louisiana had the highest rate of obesity at 36.2%, while Colorado had the lowest at 20.2%.

Ohio had the 14th highest rate of obesity among children ages 10-17, at 17.4%, and was 35th in obesity for children ages 2-4 from low-income families, with 12.4%.

The report also cited a number of obesity-related health issues. Ohio was 17th in adult diabetes, with 11% of adults suffering from the disease. That number was down from a year before, but the overall trend remains upward - Ohio is expected to go from just over 1 million cases of diabetes in 2010 to nearly 1.6 million in 2030 at its current pace.

Even more Ohio adults suffer from hypertension. Ohio was 13th in that category, with 34.3% of adults having the condition. The number of cases is expected to rise from 2.3 million in 2010 to nearly 3.1 million in 2030 at its current pace.

Cases of heart disease and obesity-related cancer are both expected to rise dramatically over the next two decades, the report said, while arthritis cases are likely to decrease.

The State Health Assessment cited obesity among the chronic conditions that pose serious health risks to the state. That report cited links between obesity and other chronic conditions, and noted the racial and geographic disparities among them. (See Gongwer Ohio Report, August 22, 2016)

The SHA found obesity to be a problem cited by public health experts in all areas of the state and among a wide variety of different groups. The report cited nutrition and physical activity as possible contributing factors and opportunities for improvement.

"Although Ohio's high prevalence of obesity and diabetes indicate that much more progress is needed on physical activity, this assessment finds that Ohio has some strengths in this area," the SHA said. "First, the percent of Ohio adults reporting no leisure-time physical activity declined from 2013 to 2014 and met the Healthy People 2020 target. Second, regional forum participants in most areas of the state identified their active living environments as a characteristic that made them proud of their

community, and all regions identified a positive active living environment as one of the most important characteristics of a healthy county or region."

The Trust for America's Health report on obesity also found racial disparities in obesity. Among white Ohioans, the rate of obesity was 30.5%, while it was 37.1% among black Ohioans.

The gap was narrow between men and women, with 30.5% of men and 29.7% of women. For different age groups, it was wider, with the obesity rate among Ohioans 45-64 at 36.3%, compared to 29% for those 65 and older, 27.9% for those 26 to 44 and 17.8% for those 18-25.

Dana Schmersal, a spokeswoman for Voices for Ohio's Children, said policymakers should continue to work on programs to improve childhood nutrition.

"We are very glad to see the downward trend for childhood obesity rates in Ohio," she said in an email. "Child nutrition, however, remains a key issue across the state as both obesity and food insecurity impact far too many Ohio families, leaving our state to face the expensive cognitive, behavioral, educational, economic and health consequences that follow. Of course, it is not enough to make food more accessible and nutritious - we must work with schools, child care providers, and communities to ensure that meals are consistent with a healthier lifestyle supported by comprehensive health and physical education inside and outside of the classroom."

Trump, Clinton Spend Holiday Campaigning In Ohio

GOP nominee Donald Trump and Democratic nominee Hillary Clinton ventured back to the Buckeye State Monday as they continued to court voters.

Ms. Clinton spoke at a Cleveland rally, where she and vice presidential candidate Tim Kaine stressed the importance of the state in the electoral landscape.

"You're used to this," Sen. Kaine told Ohio voters, saying the election has entered the "home stretch."

"You're used to the fact that you're one of the two or three most important states in any presidential election going back since there were presidential elections," he said.

In her remarks to the crowd, Ms. Clinton again questioned Mr. Trump's suitability for the office of president. She also touted a newly announced book, written by herself and Sen. Kaine, called "Stronger Together" that will showcase their plan for the future.

"We are stronger together, and that is in stark contrast to Donald Trump," she said. "When he says, 'I alone can fix it,' he doesn't understand how America works."

Mr. Trump that same day participated in a labor roundtable Monday at a Brook Park American Legion post. Media access was limited at the event, which was only first announced that morning.

"I was happy to show Mr. Trump first-hand some of the challenges that we have faced in Northeast Ohio, with local plants shutting down and jobs leaving for overseas," Brook Park Mayor Tom Coyne said in a statement released by the campaign. "Mr. Trump speaks our language, I think he's more comfortable talking to labor and working class people than he is talking to bankers, and it shows."

Mr. Trump then attended the Canfield Fair, while at the same time Clinton surrogates launched attacks seeking to undermine Mr. Trump's attempt to draw blue-collar support.

"Hillary Clinton knows that America is already great because of your hard work, because of your values, your integrity," AFL-CIO President Richard Trumka told those at the fair. "She knows that our economy is strongest when we can band together and negotiate for better wages, better benefits and better working conditions. She wants to rewrite the rules of the economy so that working people win and not just billionaires, like Donald Trump, win."

The Clinton campaign on Tuesday evening is scheduled to open its latest organizing office, this one in Delaware County. The campaign has launched more than three dozen such offices across the state.

Mr. Trump, meanwhile, rated two points above Ms. Clinton in a Tuesday national poll from CNN/ORC. Mr. Trump earned 45% to Ms. Clinton's 43%, putting the pair at a statistical tie when accounting for the margin of error.

Libertarian Gary Johnson and Green Party candidate Jill Stein earned 7% and 2% respectively in that survey.

Democratic PAC Cancels \$3M More In Strickland Ads; Nicklaus Backs Portman

A national super PAC has canceled \$3 million worth of additional ads it planned to air supporting U.S. Senate candidate Ted Strickland.

The Senate Majority PAC announced the additional cuts Tuesday - the second such reduction the group has made in the last month. A spokesman said the group was seeking to "maximize resources."

The group had already scrapped ads set for later this month. But the additional cuts for ads previously set to air between Sept. 20-Oct. 10 mean the PAC will have no pro-Strickland advertising on Ohio airwaves until October at the earliest.

Strickland campaign spokesman David Bergstein in a statement downplayed the move, which is seen as the latest sign of Mr. Strickland losing ground to his opponent U.S. Sen. Rob Portman, saying "there's still a lot of race left to run."

"We just recently launched our paid media campaign, the national environment is rapidly deteriorating around Portman, he's facing a daily firestorm about his continued support for Trump - and Portman's small, weak field operation can't compete with the Ohio Democratic Party's coordinated field campaign which has hundreds of organizers and volunteers across the state working to elect Ted, Secretary Clinton and Democrats at every level," Mr. Bergstein said.

"Ted's going to do what he does best: campaign vigorously across Ohio, talking about the central contrast in this race - he's fighting for working people because that where he comes from and that's who he cares about, while Senator Portman is looking out for his rich and powerful friends," he continued.

The PAC had already cancelled about \$191,000 worth of ads previously intended to run between Sept. 6-19. At the same time, the Democratic Senatorial Campaign Committee announced it was pushing back the launch of its own ads by one week, cancelling about \$500,000 in reserved airtime in September and moving that money to support the campaign's own advertising. (See Gongwer Ohio Report, August 30, 2016)

The network run by brothers and GOP donors Charles and David Koch then announced they had cancelled pro-Portman ads to the tune of \$2.1 million. (See Gongwer Ohio Report, August 31, 2016)

The Ohio Democratic Party and U.S. Rep. Tim Ryan (D-Niles) came to the former governor's defense Tuesday at a press conference blasting Sen. Portman for "turning his back" on the auto industry.

"It's the central contrast in this race: Ted is fighting for Ohio's working families, while Sen. Portman is pushing the agenda of his rich and powerful friends in Washington," Rep. Ryan said. "We need someone who represents our values. It's pretty simple - working families need Ted Strickland in the U.S. Senate."

Mr. Strickland did land the endorsement of the Sierra Club Tuesday, which in turn drew the ire of the Ohio Coal Association which released a statement criticizing Mr. Strickland's stance on coal.

Sen. Portman, meanwhile, enlisted the help of famed golfer Jack Nicklaus with a new ad that is part of a \$15 million ad campaign that has already begun to air.

"Rob is the real deal, he's making a difference in standing up for American manufacturing, and he's fighting to strengthen our military to keep us safe. Rob Portman is Ohio's champion," Mr. Nicklaus says in the ad.

The Portman campaign used the Ohio State University football opener Saturday and a related Snapchat filter to expand its outreach to students and fans.

"We are proud to work with our impressive Students for Portman group, which is organized on more than 30 campuses and has helped us contact more than 3.5 million targeted voters," Portman campaign spokeswoman Michawn Rich said. "The coalition is helping ensure Rob's message of pro-growth policies for better wages and more jobs reaches students across Ohio during this campaign."

From Congress: Brown, Portman Praise Trade Ruling On Steel; Kaptur Welcomes \$2M In Housing Funds; Latta Tours OSU Radio Optics Lab...

Ohio's U.S. senators praised a recent International Trade Commission finding that the country's steel industry has been hurt by cold-rolled steel imports from other countries.

The ITC determined imports from Brazil, India, South Korea and the United Kingdom have all played a role in harming the industry, but stopped short of listing Russia as having engaged in unfair trade practices.

U.S. Sen. Rob Portman (R-Terrace Park) and U.S. Sen. Sherrod Brown (D-Avon) both welcomed the ITC's determination, with Sen. Portman in a statement calling the situation facing Ohio's steelworkers a "crisis."

"Nearly 1,500 Ohio steelworkers were laid off last year through no fault of their own," Sen. Portman said. "Today the ITC recognized exactly what I told them: that unfair, dishonest practices from competitors in these countries are hurting our communities. Our work is far from over, but today's ruling is another step in leveling the playing field, and it is another win for Ohio steelworkers."

Sen. Brown said unfair trade practices are threatening the stability of that and other industries. He had previously advocated that Russia be included in the ITC investigation.

"When other countries don't play by the rules, the U.S. government must take action to protect American manufacturers," Sen. Brown said. "It's disappointing that the ITC did not recognize Russia's unfair trade practices, but the enforcement of antidumping and countervailing duties on cold-rolled steel imports from Brazil, India, South Korea, and the United Kingdom is a good step forward in providing the steel industry with the relief it needs."

In other trade news, Sen. Portman last week criticized the European Union's ruling that Apple owes \$14 billion in back taxes, saying the ruling highlights the need for international tax reform.

"Retroactive taxes not based in the rule of law are an attack on all U.S. companies doing business globally," the senator said. "The Commission is blatantly attempting to take advantage of the antiquated U.S. international tax system, and at the end of the day, it's

U.S. taxpayers footing the bill. This decision is another indicator of the urgent need for international tax reform."

Housing: U.S. Rep. Marcy Kaptur (D-Toledo) applauded the recent award of more than \$2.1 million toward Cuyahoga County homeless veteran support.

The Department of Veterans Affairs announced the award to Cleveland-based Frontline Service to support "Operation Cleveland Home Front," a program that provides transitional housing to veterans and their families.

"No one who has served our country with dignity and honor should face the indignity of being without adequate shelter," Rep. Kaptur said, adding that the program "offers veterans and their families a helping hand through transitional, temporary housing, a chance that offers hope and the prospects of a second chance to make a better life for themselves and their families. These brave men and women served our country, and this support program is our service in return."

Technology: U.S. Rep. Bob Latta (R-Bowling Green) praised Ohio State University's ElectroScience Lab during a recent tour of the facility. The lab is one of the largest radio frequency optics research laboratories in the world.

"The work they are doing at the ElectroScience Lab is pushing the limits in advancing technology," Rep. Latta said. "The research that is being conducted will pay countless dividends in the wireless communication and radio frequency fields."

Piketon: Sens. Brown and Portman continue their efforts to secure funding for the ongoing cleanup of the Portsmouth Gaseous Diffusion Plant.

The two earlier this month asked Senate appropriators to include funding for the project in any short-term continuing resolution considered by the upper chamber. Continued funding for the effort, they said, is in jeopardy because the 2017 Energy and Water Appropriations bill passed by the Senate, which includes the funding, has not yet received House action.

"Portsmouth's D&D efforts are an integral part of the Department of Energy's commitment to the people of southern Ohio," the pair wrote to the Senate Appropriations Committee. "Continued operations at the present level are an essential part of that commitment."

Backpage: Sen. Portman chalked up another victory in lawmakers' ongoing legal proceedings against Backpage.com.

Sen. Portman and Sen. Claire McCaskill (D-Mo.) as leaders of the Senate Permanent Subcommittee on Investigations have long been focused on an uncooperative Backpage in their attempt to determine the website's role in facilitating sex trafficking.

In the latest development, the D.C. Circuit Court denied Backpage's request for a stay, meaning the company must now turn over all documents that have been subpoenaed to the committee within 10 days.

"Today's ruling is a major step forward in our efforts to stop the scourge of online human trafficking and stand up for its thousands of innocent victims across the United States," Sen. Portman said. "With this decision, we look forward to examining the subpoenaed documents that Backpage has withheld. We are committed to continuing our bipartisan investigation and ensuring that our laws effectively protect the most vulnerable from sex traffickers and businesses that aid them."

Coal: Sen. Brown welcomed more than \$1 million in federal relief funding to Ohio miners and their families that have experienced layoffs.

The Department of Labor announced the funding to the Ohio Department of Job and Family Services this month to fund reemployment efforts for those workers. The award brings Ohio's total federal funding to \$2 million, including a \$916,250 grant from 2015.

"The changing coal economy has put some workers out of a job through no fault of their own," Sen. Brown said. "This grant will give Ohio the tools to continue its support for displaced workers and help them get back on their feet."

Drugs: Sen. Portman joined Walgreens workers as they unveiled 18 drug take-back kiosks for their Ohio stores.

In a Toledo press conference, the lawmaker voiced his support for the effort announced in February, which will culminate in the kiosks being placed in 500 of the chain's stores across the country.

"Addiction to prescription painkillers has reached epidemic levels in Ohio and across the country," Sen. Portman said. "Fighting back against this epidemic will require all of us working together at the federal, state, and local community level."

Women's Summit: Sen. Brown announced the second annual Women's Leadership Summit will take place at 9 a.m. Saturday at the Global Center for Health Innovation in Cleveland. For more information and a list of speakers visit the event's website.

"Ohio women are achieving remarkable things, and we must build on their success so all women can have an opportunity to succeed," Sen. Brown said. "The Women's Leadership Summit aims to celebrate the accomplishments of women and highlight strategies for overcoming obstacles to success."

Court Briefs: Court Rules Meigs County Charter Proposal Should Move Forward; Man Injured At Basketball Game Loses Case; Attorneys Reprimanded...

Voters in Meigs County could soon have the opportunity to change their form of government.

The Ohio Supreme Court on Tuesday ruled that the county's board of commissioners erred by not approving a resolution to place a charter amendment on the ballot in 2015.

The 4-3 per curiam decision reverses a Fourth District Court of Appeals ruling.

The commissioners received a letter from the board of elections on July 2, 2015 stating that a petition filed by Meigs County Home Rule Committee had a sufficient number of valid signatures to be placed on the November ballot, the court reported.

However, the commissioners in a July 9 letter back to the board said the July 2 letter was incomplete and lacked certain information. In a special meeting on July 14, the commissioners failed to certify the issue for the ballot because they said the board of elections failed to meet the deadline to submit a report at least 120 days prior to the election.

"But even if the first letter were insufficient, when the board of elections ultimately certifies the validity of a petition and the delay was not the fault of the initiative's supporters, a writ of mandamus will issue to place the matter on the ballot. Any other result would be unfair and thwart the constitutional right of initiative," the court wrote in its decision.

Citing a 2015 case in which Secretary of State Jon Husted invalidated a county charter initiative on the grounds that the proponents did not propose a form of county government, the commissioners argued that committee also failed to propose a form of county government.

However, the court found that is a determination for Secretary Husted to make.

"We will not intrude into the process before the secretary has had a chance to exercise his discretion," the majority wrote.

Chief Justice Maureen O'Connor and Justices Judith Ann Lanzinger, Judith French and Bill O'Neill constituted the majority.

Justices Paul Pfeiffer and Sharon Kennedy joined a dissenting opinion in which Justice Terrence O'Donnell sided with the appellate court.

Injury: A man who was injured as he attempted to sit in a seat that broke and dropped to the ground at a University of Akron basketball game will receive no financial compensation, the Court of Claims ruled.

The court found that Raymond Williams failed to prove that the university did not exercise ordinary or reasonable care and denied his claim for \$10,000 in damages.

Mr. Williams claimed the fall resulted in more than \$5,000 in medical bills, the Ohio Supreme Court reported.

However, a university investigation found that Mr. Williams told a responding usher and supervisor that he did not fall because he caught himself as the chair broke and that he declined medical attention at the time.

Reprimands: The Ohio Supreme Court has issued three public reprimands:

- Justin E. Fernandez of Cincinnati for allegedly neglecting a client's legal matter and the improper use of an out-of-state company to provide paralegal and paraprofessional services.
- Steven B. Beranek of Medina for allegedly failing to inform his clients that he did not have professional liability coverage.
- Patrick L. Clifton of Crestview Hills, Kentucky for allegedly violating the rule that prohibits a lawyer from knowingly making a false statement to a tribunal and engaging in conduct involving dishonesty, fraud, deceit or misrepresentation.

Conviction: The Bureau of Workers' Compensation announced the conviction of a man a Toledo man who used a fake identity to collect benefits.

David Abitua, 51, pleaded guilty Aug. 18 in Franklin County Common Pleas Court to one fifth-degree felony count of workers' compensation fraud, according to BWC.

"If you try to cheat the workers' compensation system, even while hiding under a false identity, we will find you and prosecute you to the fullest extent of the law," Sarah Morrison, Administrator/CEO for the BWC, said in a statement. "Workers' compensation fraud raises costs for everyone in the system and diverts resources needed for injured workers and making Ohio workplaces safer."

Using a false Social Security number and the alias of Jose L. Vasquez, Mr. Abitua collected injured workers' benefits from November 2009 until October 2012.

Supplemental Agency Calendar

Thursday, September 8

Broadcast Educational Media Commission, 2470 North Star Road, Columbus, 10 a.m.

Children's Trust Fund, 77 South High Street, 13th Floor East Conference Room, Columbus, 10 a.m.

Supplemental Event Planner

Wednesday, September 7

House Democrats legislative agenda news conference, West Steps, Statehouse, Columbus, 11 a.m.

Release of August casino revenue figures, 1:30 p.m.

Sunday, September 11

Rep. Kyle Koehler (R-Springfield) fundraiser, Echo Ridge Farm, 4674 Hominy Ridge Rd., Springfield, 2 p.m., (Sponsor: \$1,000; Host: \$500; Partner: \$350 to Citizens to Elect Kyle Koehler)

Thursday, September 29

Sen. Bill Coley (R-Liberty Twp.) fundraiser, Keller residence, 8325 Princeton Road, Liberty Twp., 6 p.m., (\$1,000 Event Host | \$500 Event Chair | \$250 Event Sponsor | \$100 Individual to Friends of Bill Coley)

Monday, October 10

Sen. Peggy Lehner (R-Kettering) fundraiser, K-12 Gallery and TEJAS, 341 S Jefferson St., Dayton, 5 p.m., (Special Guest: Sen. Obhof. \$2,500 Michelangelo Sponsor | \$1,000 Van Gogh Sponsor | \$500 Picasso Sponsor | \$150 per Couple | \$100 per Individual to Citizens for Lehner)

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From: Kevin Schmidt

Sent: Wednesday, October 12, 2016 11:03 AM

To: Zielinski, Justin

Subject: Fwd: NEW POLL: Bipartisan Majority of Ohio Voters Support Justice Reform

Follow Up Flag: Follow up

Flag Status: Completed

FYI. Check out the polling numbers below on justice reform issues. Smart on crime policies work, and are popular.

KS

----- Forwarded message -----

From: U.S. Justice Action Network <press@justiceactionnetwork.org>

Date: Wed, Oct 12, 2016 at 10:59 AM

Subject: NEW POLL: Bipartisan Majority of Ohio Voters Support Justice Reform

To: schmidt@sppgrp.com

NEW POLL: Bipartisan Majority of Ohio Voters Support Justice Reform



**THE COALITION
FOR PUBLIC SAFETY**

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**U.S. JUSTICE
ACTION NETWORK**

JusticeActionNetwork.org

FOR IMMEDIATE RELEASE

October 12, 2016

CONTACT:

press@justiceactionnetwork.org

**NEW POLL: Bipartisan Majority of Ohio Voters Support
Justice Reform**

***68% of Voters Believe Rehabilitation Should Be Main Goal of Justice
System***

***Ohio Voters Send Clear Message to Lawmakers: Support Federal
Justice Reform***

[View Full Results Here**](#)**

Washington, D.C. – The U.S. Justice Action Network (USJAN), the nation's largest bipartisan organization working to reform our justice system, is highlighting recent polling by the Coalition for Public Safety which found a large majority of Ohio voters strongly support reforms to the federal justice system. USJAN would like to thank Members of Congress like Reps. Steve Chabot, Joyce Beatty, Marcy Fudge, Marcy Kaptur and Tim Ryan and Senators Rob Portman and Sherrod Brown for listening to the voters at home and supporting the justice reform legislation currently under consideration in Congress. Additionally, USJAN would like to urge the remainder of Ohio's congressional delegation to follow the lead of their colleagues and constituents by supporting these common-sense reforms now.

Of the major findings, 68% of voters on both sides of the aisle agree that the main goal of the justice system should be rehabilitating criminals, while 68% believe we should ensure that, when an offender leaves prison, they are less likely to commit another crime. The poll

found virtually equal support for reform among Republican and Democratic voters, as well as strong bipartisan agreement that those who commit non-violent crimes should be sentenced based on the individual circumstances of each case, rather than relying on one-size-fits-all mandatory minimums. In a divided political climate, Ohio voters are sending a clear message to members of Congress: it's time to fix our broken justice system.

"This poll shows levels of support that any elected official could only hope for. Voters on both sides of the aisle, despite their ideological differences, agree that our criminal justice system is broken and fixing it is smart policy," said **Holly Harris, Executive Director of the U.S. Justice Action Network**. "In fact, 64% of Republicans and Democrats in Ohio overwhelmingly agreed that sentencing laws should be reformed to be based on the circumstances of the individual case, rather than a one-size-fits-all mandatory minimum. Congress should listen to their constituents and pass common-sense sentencing reforms this year. It's time to act on criminal justice reform."

Among the poll's top findings include:

- **68% of voters in Ohio** agree that the main goal of our criminal justice system should be rehabilitating criminals to become productive, law-abiding citizens.
- **64% of voters in Ohio** favor changing the way that non-violent criminals are sentenced so each sentence is tailored to address the individual circumstances of each case instead of having a one-size-fits-all mandatory minimum system.
- **68% of voters in Ohio** agree that what really matters is that the criminal justice system does a better job of making sure that when an offender does get out, whether after months or years, they are less likely to commit another crime.
- **56% of voters in Ohio** agree that the federal government is spending too many tax dollars keeping nonviolent offenders behind bars.

"This polling shows practically two-thirds of voters in Ohio support our organization's goal of ensuring the punishment fits the crime," said **Robert Alt, President of the the Buckeye Institute**. "The message to lawmakers is clear – we have the strong bipartisan support needed to turn our justice system away from expensive, outdated policies and to ensure that we maximize public safety while saving taxpayer dollars."

"Voters of every political stripe across the country, Democrats and Republicans, are consistently showing that they support safe and effective reforms to our justice system that reduce the cost to taxpayers," said **Mike Brickner, Senior Policy Director of the ACLU of Ohio**. "Ohioans agree rehabilitation should be at the heart of a system that sentences individuals based on their individual circumstances and ensures that when they leave, they are less likely to commit another crime. This is a great combination – bipartisan voter support for a sound public policy."

Polling was conducted in nine other battleground states, including Colorado, Florida, Missouri, Nevada, New Hampshire, North Carolina, Pennsylvania, Virginia and Wisconsin. While voters are largely split about which candidates they will support in November, bipartisan majorities in all ten states are clear that there is a need for justice reform.

Currently, prisons and jails alone cost Americans \$80 billion per year. At the federal level, the prison population has increased 790% over the last two decades, with 60% of those currently incarcerated behind bars for nonviolent crimes. At the local level, jails process nearly 12 million people every year, with a disproportionate impact on communities of color. Between 70 million and 100 million Americans, or one in three Americans, has a criminal record which carries lifelong barriers in regards to housing and employment.

About the U.S. Justice Action Network:

The U.S. Justice Action Network is the largest bipartisan coalition working at the state and

federal level to reform our broken criminal justice system. The U.S. Justice Action Network's partner organizations include the American Civil Liberties Union, Americans for Tax Reform, the Center for American Progress, Faith & Freedom Coalition, FreedomWorks, the Leadership Conference on Civil and Human Rights, the NAACP, and Right on Crime

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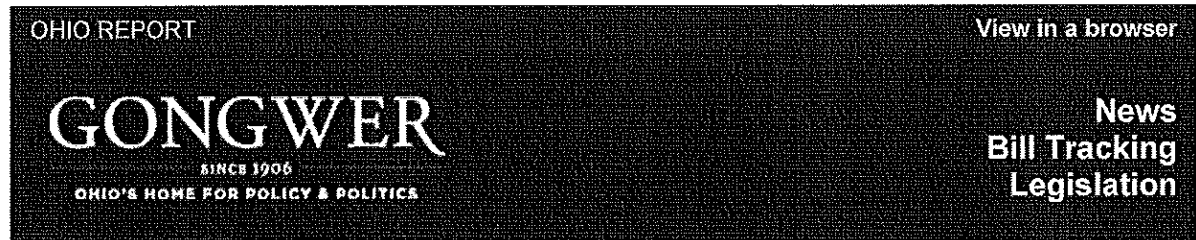
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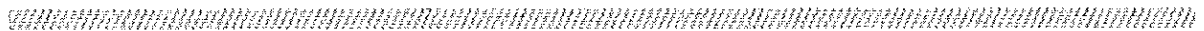
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Sent: Tuesday, November 22, 2016 5:58 PM
To: Zielinski, Justin
Subject: Ohio Report, Tuesday, November 22, 2016
Attachments: Nov22Senate.htm; Nov23Schedule.htm; Nov22.htm;
161122dayplan.htm



OHIO REPORT TUESDAY, NOVEMBER 22



Senate Hears Mixed Review Of Energy Freeze Bill; Early December Committee Vote Eyed

Senate Panel Takes Up Ignition Interlock Device Measure

Proponents Urge Senate Support For Ohio EPA Updates

Committee Chair Raises Concerns About Insurance Bill

Medical Board Closes Investigation Into Dayton Abortion Clinic

Buckeye Institute Touts Charity Care; OSMA Launches Opioid Campaign; Innovation Ohio Eyes Food Insecurity

Farmers Union Prices Thanksgiving Dinner; AG Warns On Holiday Shopping Scams; DSW Sales Up

Governor's Appointment

Attorney General's Opinion

Supplemental Agency Calendar

Supplemental Event Planner

Senate Committee Hearings

Energy & Natural Resources

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Senate Activity for Tuesday, November 22, 2016

INTRODUCED


SB 369 ■ **ROAD NAMING** (Patton, T., Manning, G.) To designate a portion of Interstate Route 90 in Cuyahoga County as the "Patrol Trooper Kenneth Velez Memorial Highway." Am. 5534.46

SB 370 ■ **LICENSE PLATE** (Patton, T.) To create the "University of Notre Dame" license plate. Am. 4501.21 and to enact section 4503.514

SB 371 ■ **COUNTY PROSECUTORS** (Thomas, C.) To prohibit prosecuting attorneys of counties with a population of 400,001 or more from engaging in the private practice of law. Am. 309.02 and 325.11

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Legislative Committee Schedules beginning 11/23/2016

Monday, November 28

House Rules & Reference (Committee Record) (Chr. Amstutz, R., 466-1474), Rm. 119, 10:30 a.m.
Senate Education (Committee Record) (Chr. Lehner, P., 466-4538), Finance Hearing Rm., 2 p.m.

- SB 136** **SCHOOL SECLUSION** (Tavares, C.) To prohibit the use of seclusion on students in public schools. (1st Hearing-Sponsor)
- SB 346** **SCHOOL YEAR** (Manning, G.) To generally require public and chartered nonpublic schools to open for instruction after Labor Day. (2nd Hearing-Proponent)
- HB 89** **MEDICAID SCHOOL PROGRAM** (DeVitis, T.) Regarding the Medicaid School Program. (2nd Hearing-All testimony)
- HB 383** **FINANCIAL LITERACY** (Hagan, C., McColley, R.) To require one-half unit of economic and financial literacy in the high school social studies curriculum, to require the Chancellor of Higher Education to prepare an informed student document for each state institution of higher education, to require the State Board of Education to include information on the informed student document in the standards and model curricula it creates for financial literacy and entrepreneurship, and to entitle the act the "Informed Student Document Act." (2nd Hearing-All testimony)
- HB 85** **ABUSE PREVENTION** (Ramos, D., Hagan, C.) With respect to age-appropriate student instruction in child sexual abuse and sexual violence prevention and in-service staff training in child sexual abuse prevention. (2nd Hearing-Proponent)

Tuesday, November 29

House State Government (Committee Record) (Chr. Maag, R., 644-6023), Rm. 113, 9 a.m.

- SB 227** **ATTORNEY GENERAL** (Bacon, K.) To make various changes to the laws governing the duties and functions of the Attorney General. (1st Hearing-Sponsor & proponent)
House Agriculture & Rural Development (Committee Record) (Chr. Hill, B., 644-6014), Rm. 116, 9 a.m.
- HR 214** **PHOSPHORUS AGREEMENT** (Sheehy, M., Fedor, T.) To encourage support for the agreement between Ontario, Michigan and Ohio regarding the reduction of phosphorus in the western basin of Lake Erie. (1st Hearing-Sponsor)
- HB 566** **NURSERY STOCK** (Ramos, D.) To prohibit the labeling and advertising of nursery stock as pollinator beneficial under specified conditions (1st Hearing-Sponsor)
House Education (Committee Record) (Chr. Brenner, A., 466-6711), Rm. 017, 9 a.m.
- HB 498** **STUDENT EXPULSIONS** (Kunze, S.) With respect to the expulsion of a student from a school district, community school, or STEM school for communicating a threat of violence to occur on school grounds. (2nd Hearing-Proponent)

HB 372 **EDUCATIONAL SERVICES (Phillips, D.)** To require city, exempted village, and local school districts to employ, for each 1,000 students, at least five full-time equivalent educational service personnel in specified areas. (1st Hearing-Sponsor)
House Insurance (Committee Record) (Chr. Brinkman, T., 644-6886), Rm. 121, 9 a.m.

SB 27 **FIREFIGHTER CANCER (Patton, T.)** To provide that a firefighter who is disabled as a result of specified types of cancer is presumed for purposes of the laws governing workers' compensation and the Ohio Police and Fire Pension Fund to have incurred the cancer while performing official duties as a firefighter. (3rd Hearing-All testimony-Possible amendments, substitute & vote)

HB 394 **UNEMPLOYMENT COMPENSATION (Sears, B.)** To temporarily change the taxable wage base under Ohio's Unemployment Compensation Law, to remove dependency classes for unemployment compensation benefit eligibility, to temporarily freeze automatic increases for weekly unemployment compensation benefit amounts, to reduce the number of weeks for which an individual may receive unemployment compensation benefits, to abolish the Unemployment Compensation Advisory Council, and to make other changes to Ohio's Unemployment Compensation Law. (6th Hearing-All testimony-Possible substitute)
House Financial Institutions, Housing & Urban Development (Committee Record) (Chr. Dever, J., 466-8120), Rm. 122, 9 a.m.

HB 593 **CROWDFUNDING (Arndt, S.)** To permit intrastate equity crowdfunding under certain circumstances. (2nd Hearing-Proponent)

HB 598 **LOAN ACT (Terhar, L.)** To create the Ohio Consumer Installment Loan Act. (2nd Hearing-Proponent-Possible substitute)

HB 616 **BANKING LAW (Amstutz, R.)** For the purpose of enacting a new banking law for the State of Ohio. (1st Hearing-Proponent-Possible substitute)

Senate Agriculture (Committee Record) (Chr. Hite, C., 466-8150), South Hearing Rm., 9 a.m.

- Confirmation hearing on governor's appointments of S. Craig Beam, Ohio Thoroughbred Race Fund Advisor Council; Kelly Cole, Southern Ohio Agricultural and Community Development Foundation; Cy Prettyman, Ohio Livestock Care Standards Board and Michael Frazier and Gregory Levens, Dangerous & Restricted Animals Advisory Board

SB 151 **DOGS LAW (Beagle, B.)** To revise provisions of the Dogs Law governing nuisance, dangerous, and vicious dogs, to revise enforcement of that Law, and to establish a notification process regarding complaints of certain violations of that Law. (4th Hearing-Opponent)

SB 224 **AGRICULTURE LAWS (Brown, E.)** To revise the application and enforcement of the law governing operation and management plans, and to require certain animal feeding facilities to annually report the amount of manure that is applied by or for the facilities. (1st Hearing-Sponsor)

SB 271 **POLICE ANIMALS (Gentile, L.)** To authorize a law enforcement officer to purchase a police dog or horse for fair market value when the officer retires in good standing from a law enforcement agency and certain conditions are met, and to declare an emergency. (1st Hearing-Sponsor)

House Local Government (Committee Record) (Chr. Anielski, M., 644-6041), Rm. 018, 9:30 a.m.

- HB 561** **PARK COMMISSIONERS (Boccieri, J., Clyde, K.)** To require boards of county commissioners to appoint additional park board commissioners and allow for public comment during appointment process. (1st Hearing-Sponsor)
- HB 562** **MAIL DELIVERY (Hambley, S., Ryan, S.)** To authorize local governments and officers to deliver certain notices by ordinary mail and electronically instead of by certified mail. (1st Hearing-Sponsor)
- HB 576** **PUBLIC RECORDS (Ryan, S.)** To exempt from the Public Records Act financial account numbers and identifying information in public records and to provide that taxpayer electronic mail address lists used by county treasurers to deliver tax bills are not public records. (1st Hearing-Sponsor)

Senate State & Local Government (Committee Record) (Chr. Uecker, J., 466-8082), North Hearing Rm., 9:45 a.m.

- Confirmation hearing on governor's appointment of Thomas Pascarella, Ohio Retirement Study Council

- SB 347** **PRIMARY ELECTIONS (LaRose, F.)** To expand the circumstances under which a board of elections or the secretary of state is not required to hold a primary election. (2rd Hearing-All testimony-Possible amendments & vote)
- SB 322** **POLICE TRAINING (Hite, C.)** To require the Ohio peace officer training commission to develop and conduct a chief of police training course for newly appointed chiefs of police appointed on or after January 1, 2017, and to require newly appointed chiefs of police of villages, cities, and townships to attend the training course within six months of appointment as a chief of police. (3rd Hearing-All testimony-Possible amendments & vote)
- SB 306** **DAY DESIGNATION (Yuko, K.)** To designate July 8 as "Harrison Dillard Day." (2rd Hearing-All testimony-Possible amendments & vote)
- HB 440** **AWARENESS DAY (Anielski, M.)** To designate the Saturday before Thanksgiving as "Ohio Survivors of Suicide Loss Day." (2rd Hearing-All testimony-Possible amendments & vote)
- HB 276** **CHIROPRACTORS (Schuring, K.)** To authorize chiropractors to engage in certain activities involving nutrition-related items and therapies, nonprescription drugs, and medical goods and devices. (2nd Hearing-proponent)
- HB 423** **MILITARY RECORDS (Perales, R.)** To specify that an order for active military service or other documentation regarding the call to order of an individual in the Armed Forces of the United States or the Ohio organized militia is not a public record. (1st Hearing-Sponsor)
- HB 167** **LEGISLATIVE SERVICE COMMISSION (Sweeney, M.)** Regarding the term of a General Assembly member as a member of the Legislative Service Commission. (2rd Hearing-All testimony-Possible amendments & vote)
- House Finance (Committee Record) (Chr. Smith, R., 466-1366), Rm. 313, 10 a.m.
- SB 331** **PET STORES (Peterson, B.)** To regulate the sale of dogs from pet stores and dog retailers and to require the Director of Agriculture to license pet stores. (1st Hearing-Sponsor)

SB 235 **PROPERTY TAXES** (Beagle, B., Coley, B.) To exempt from property tax the increased value of property on which industrial or commercial development is planned until the completion of new commercial or industrial facilities at the property. (3rd Hearing-All testimony-Possible amendments & substitute)
House Session (Chr. Rosenberger, C., 466-3357), House Chamber, 11 a.m.
Senate Rules & Reference (Committee Record) (Chr. Faber, K., 466-7584), Majority Conf. Rm., 11 a.m.
Senate Financial Institutions (Committee Record) (Chr. Hughes, J., 466-5981), Finance Hearing Rm., 11:15 a.m.

SB 335 **AUTOMATED TELLER MACHINES** (Patton, T.) To regulate non-bank automated teller machines. (1st Hearing-Sponsor)

SB 355 **LOAN ACT** (Peterson, B.) To create the Ohio Consumer Installment Loan Act. (1st Hearing-Sponsor)

House Transportation & Infrastructure (Committee Record) (Chr. Boose, T., 466-9628), Rm. 018, 1 p.m. or after session

- **Agenda to be announced**

House Ways & Means (Committee Record) (Chr. Schaffer, T., 466-8100), Rm. 121, 1:30 p.m. or after session

HB 482 **PROPERTY TAXES** (Dever, J.) To change the calculation of the exempt value of improved property subject to a community reinvestment area exemption, to clarify the calculation of the exempt value of property subject to a brownfield remediation exemption, and to authorize the filing of a complaint with the county auditor challenging the assessed value of fully or partially exempt property. (2nd Hearing-Proponent)

HB 592 **INVESTMENT COMPANIES** (Merrin, D.) To subject small business investment companies to the commercial activity tax rather than the financial institutions tax. (1st Hearing-Sponsor)

HB 612 **DISASTER BUSINESS EXEMPTION** (Ryan, S.) To exempt out-of-state disaster businesses and qualifying out-of-state employees from certain taxes and laws with respect to disaster work on critical infrastructure performed in this state during a declared disaster (1st Hearing-Sponsor)

House Government Accountability & Oversight (Committee Record) (Chr. Blessing, L., 466-9091), Rm. 114, 1:30 p.m. or after session

SB 206 **CAMPAIGN FINANCE REPORTS** (LaRose, F.) To require certain campaign committees and other entities to file campaign finance statements electronically and to require the Secretary of State to make the information in those statements available online. (1st Hearing-Sponsor)

HB 613 **SUNSET REVIEW LAW** (Amstutz, R.) To revise and renew the Sunset Review Law, to require that a Sunset Review Committee be convened to function during each oddnumbered General Assembly, and to declare an emergency. (1st Hearing-Sponsor-Possible substitute)

HB 619 **STATE PROPERTY CONVEYANCES** (Rezabek, J.) To authorize the conveyance of, and the granting of perpetual easements to, state-owned real property. (1st Hearing-Sponsor-Pending referral)

SB 273 **CORPORATE GOVERNANCE (Bacon, K.)** To enact the Corporate Governance Annual Disclosure Act. (2nd Hearing-Proponent)

SB 329 **SUNSET REVIEW (Jordan, K., Faber, K.)** To require standing committees of the General Assembly to establish a schedule for the periodic review and sunset of state departments that are currently in the Governor's cabinet. (2nd Hearing-Proponent)

HB 591 **SPECIAL ELECTIONS (Pelanda, D.)** To eliminate the requirement of holding a special election to fill a vacancy in a party nomination for the office of representative to Congress under certain circumstances. (2nd Hearing-Proponent)

HB 539 **NEW AMERICANS (Boyce, K.)** To create the office for New Americans. (1st Hearing-Sponsor)

HB 536 **STATEHOUSE VIDEO (Fedor, T.)** To require the Ohio Government Telecommunications Service to broadcast live, with video and audio content, all General Assembly committee meetings and to name this act the Wire the Statehouse Act. (1st Hearing-Sponsor)

HR 192 **VOTING RIGHTS ACT (Clyde, K., Reece, A.)** Commemorating the fiftieth anniversary of the Voting Rights Act of 1965. (1st Hearing-Sponsor)

HR 206 **CONFEDERATE FLAG (Sykes, E., Reece, A.)** To urge the powers of the governments that continue to make issuances containing the confederate flag to discontinue this practice, to urge the powers of the governments that fly the confederate flag or any flag containing imagery of the confederate flag on public property to remove those flags in question, to urge the powers of governments that have official state flags that contain imagery derived from the confederate flag to commence in the process of redesigning the official state flag immediately, to urge South Carolina's General Assembly to direct removal of the confederate flag from state property and to urge Ohio retailers to remove from inventory any confederate flag merchandise. (1st Hearing-Sponsor)

HB 179 **VOTER REGISTRATION (Stinziano, M., Sykes, E.)** To require that eligible persons in the database of the Bureau of Motor Vehicles be automatically registered to vote or have their registrations updated automatically, as applicable, unless those persons decline to be registered or to update their registrations. (1st Hearing-Sponsor)

Senate Session (Chr. Faber, K., 466-4900), Senate Chamber, 1:30 p.m.
House Commerce & Labor (Committee Record) (Chr. Young, R., 644-6074), Rm. 122, 2 p.m. or after session

HB 601 **MICROBUSINESS (Pelanda, D.)** To create a statutory definition of "microbusiness." (2nd Hearing-All testimony-Possible amendments & vote)

HB 574 **USED TIRES (Sprague, R., DeVitis, T.)** To prohibit the installation of unsafe used tires on certain motor vehicles. (2nd Hearing-Proponent)

Senate Finance (Committee Record) (Chr. Oelslager, S., 466-0626), Finance Hearing Rm., 2:30 p.m. or after session

- Confirmation hearing on governor's appointments available at <http://www.gongwer-oh.com/public/130/finconfirm.pdf>

HB 435 **STATE FINANCING (McClain, J.)** To authorize the Treasurer of State to issue revenue obligations of the state for the purpose of making loans to qualifying public

entities for their acquisition of permanent improvements through the Treasurer of State's purchase of public obligations of those qualifying entities. (1st Hearing-Sponsor)

SB 230 **ACADEMIC DISTRESS COMMISSIONS** (Schiavoni, J.) With regard to the operation of academic distress commissions and to modify the earmarked funding for the establishment of academic distress commissions. (1st Hearing-Sponsor)

HB 384 **HIGHER EDUCATION AUDITS** (Schaffer, T., Duffey, M.) To specify that state institutions of higher education may be subject to performance audits conducted by the Auditor of State. (2nd Hearing-All testimony-Possible amendments)

SB 317 **BANKING LAWS** (Hughes, J., Coley, B.) For the purpose of enacting a new banking law for the State of Ohio. (4th Hearing-All testimony-Possible amendments & vote)
Senate Health & Human Services (Committee Record) (Chr. Jones, S., 466-9737), North Hearing Rm., 3 p.m. or after session

- Confirmation hearing on governor's appointments of Stephanie Loucka, Director of the Department of Aging; Billy Anderson, Jr., Ashok Das, Michael Ginder and Kumar Subramanian, D.D.S., State Dental Board; Raymond Mancini, John Patton, III, James Armile and John Stainbrook, Ohio Athletic Commission; Michael Aquillo, Ohio Respiratory Care Board; Michael Pratt, Hearing Aid Dealers and Fitters Licensing Board; Ronan Factora, State Medical Board; Paul Schoonover, Chemical Dependency Professionals Board; Christopher Taylor, Ohio Board of Dietetics; Fred Weaver, Kilee Yarosh, Timothy Bechtold, State Board of Pharmacy; Jason Dapore, Hollie Kozak, Chad Miller and Jennifer Wissinger, Occupational Therapy, Physical Therapy, and Athletic Trainers Board.

HB 216 **NURSES** (Pelanda, D.) To revise the law governing advanced practice registered nurses. (2nd Hearing-Proponent-Possible amendments)

HB 285 **PRESCRIPTION REFILLS** (Sprague, R.) To authorize pharmacists to dispense multiple refills of a prescription simultaneously under certain circumstances. (2nd Hearing-Proponent)

HB 470 **PALLIATIVE CARE FACILITIES** (Schuring, K.) Regarding palliative care facilities. (2nd Hearing-Proponent)

SB 42 **OUTPATIENT TREATMENT** (Beagle, B.) Regarding minors and outpatient mental health treatment. (5th Hearing-All testimony)

SB 314 **HOSPITAL CARE** (Lehner, P.) To provide for the designation of a lay person to provide after-care to a hospital inpatient and participate in discharge planning. (4th Hearing-All testimony)

HB 290 **TERMINAL PATIENTS** (Sprague, R., Anielski, M.) To permit a physician to treat a terminally ill patient with a drug that is not approved by the United States Food and Drug Administration and permit a drug manufacturer to provide such a drug to the patient or physician. (3rd Hearing-Opponent & interested party)

HB 505 **BIOLOGICAL PRODUCTS** (Huffman, S., Pelanda, D.) Regarding the regulation of biological products and the substitution of interchangeable biological products when dispensed by pharmacists. (3rd Hearing-Opponent & interested party-Possible amendments)

House Armed Services, Veterans Affairs & Public Safety (Committee Record) (Chr. Johnson, T., 466-2124), Rm. 017, 3:30 p.m.

- HB 464** **NATIONAL GUARD SCHOLARSHIPS** (Terhar, L., Brinkman, T.) To specify that a National Guard scholarship recipient who fails to complete the recipient's term of enlistment in the National Guard due to enlistment, warrant, commission, or appointment in the United States armed forces is not liable for repayment of the scholarship. (3rd Hearing-Possible substitute & vote)
- HB 105** **MILITARY TRANSFERS** (Craig, H., Perales, R.) To permit persons who quit work to accompany the person's spouse on a military transfer to be eligible for unemployment compensation benefits. (2nd Hearing-Proponent)
- House Judiciary (Committee Record) (Chr. Butler, J., 644-6008), Rm. 116, 3:30 p.m.
- SB 284** **EXPUNGEMENT** (Obhof, L.) To provide that a person who is found not guilty of an offense by a jury or a court or who is the defendant named in a dismissed complaint, indictment, or information may apply to the court for an order to expunge the person's official records in the case if the complaint, indictment, or information or finding of not guilty was the result of the applicant having been a victim of human trafficking and to authorize intervention in lieu of conviction for persons charged with committing an offense while a victim of compelling prostitution. (1st Hearing-Sponsor)
- SB 257** **REAL PROPERTY** (Seitz, B., Skindell, M.) To create a presumption of validity of recorded real property instruments, reduce the time period for curing certain defects related to those instruments, and provide constructive notice for those instruments. (1st Hearing-Sponsor & proponent)
- HB 559** **MEDICAL CLAIMS** (Cupp, R.) To grant qualified civil immunity to certain medical providers who provide emergency medical services as a result of a disaster or mass hazard; to provide that certain communications made regarding an unanticipated outcome of medical care, the development or implementation of standards under federal laws, and an insurer's reimbursement policies on health care are inadmissible as evidence in a medical claim; to provide that medical bills itemizing charges are inadmissible as evidence and a payment for medical services accepted by a defendant from an insurer is admissible as evidence of the reasonableness of the charges; to specify the manner of sending a notice of intent to file a medical claim and provide a procedure for the discovery of other potential claims within a specified period after the filing of a medical claim; to provide that any loss of a chance of recovery or survival by itself is not an injury, death, or loss for which damages may be recovered; to provide civil immunity to certain medical providers regarding the discharge of a patient with a mental condition that threatens the safety of the patient or others; to require that governmental agencies that receive peer review committee records maintain their confidentiality; and to clarify the definition of "medical claim." (1st Hearing-Sponsor & proponent)
- HB 602** **DIGITAL ASSETS** (Cupp, R., Rezabek, J.) To adopt the Revised Uniform Fiduciary Access to Digital Assets Act. (1st Hearing-Sponsor & proponent)
- SB 299** **PERRY COUNTY COURTS** (Hottinger, J.) To create the Perry County Municipal Court in New Lexington on January 1, 2017, to establish one full-time judgeship in that court, to provide for the nomination of the judge by petition only, to abolish the Perry County County Court on that date, to designate the Perry County Clerk of Courts as

the clerk of the Perry County Municipal Court, and to provide for the election for the Perry County Municipal Court of one full-time judge in 2017. (2nd Hearing-All testimony)

- HB 581** **LLC REGULATIONS** (Dever, J., Reineke, B.) To permit and regulate managers, members, and interests of series limited liability companies. (2nd Hearing-Proponent)
- SB 139** **POST-CONVICTION RELIEF** (Seitz, B., Williams, S.) To require the clerk of a common pleas court to retain a copy of the original trial file when a death penalty is imposed, to specify that there is no page limit on petitions for postconviction relief in death penalty cases or in appeals of denials of such relief, to modify the time for filing an amended postconviction relief petition in death penalty cases, to provide for depositions and subpoenas during discovery in postconviction relief proceedings in death penalty cases, and to require a judge hearing a postconviction relief proceeding in a death penalty case to state specifically in the findings of fact and conclusions of law why each claim was either denied or granted. (3rd Hearing-All testimony-Possible amendments & vote)
- HB 106** **PUBLIC INDECENCY** (Schaffer, T.) To require an offender who knowingly commits the offense of public indecency under certain circumstances involving conduct likely to be viewed by minors to register as a Tier I sex offender/child-victim offender. (3rd Hearing-All testimony-Possible amendments)
- HB 283** **DNA TESTING** (Fedor, T.) To require DNA testing for misdemeanor convictions of voyeurism, public indecency, procuring, soliciting, loitering to engage in soliciting, and prostitution. (3rd Hearing-All testimony-Possible amendments)
- House Community & Family Advancement (Committee Record) (Chr. Ginter, T., 466-8022), Rm. 114, 4 p.m.
- SB 30** **FAMILY STABILITY** (Tavares, C.) To create the Ohio Family Stability Commission. (3rd Hearing-All testimony)
- HB 286** **MARRIAGE** (Vitale, N.) To provide that an ordained or licensed minister or religious society is not required to solemnize a marriage and a religious society is not required to allow any building or property of the religious society to be used to host a marriage ceremony if the marriage does not conform to the ordained or licensed minister's or religious society's sincerely held religious beliefs, to provide that an ordained or licensed minister or religious society is not subject to civil or criminal liability for such a denial, and to provide that the state and political subdivisions may not penalize or withhold benefits to an ordained or licensed minister or religious society for such a denial. (6th Hearing-All testimony)
- HB 458** **FOSTER CARE** (Boyce, K., Rezabek, J.) To provide foster care maintenance payments for children in the care of a kinship caregiver without requiring the caregiver to be certified to provide foster care and to require, rather than permit, the creation of the statewide program of kinship care navigators. (1st Hearing-Sponsor)
- SB 308** **CHILD SUPPORT** (Coley, B.) To amend the child support laws. (1st Hearing-Sponsor & proponent)

HB 618 **RECORD EXPUNGEMENT** (Schuring, K., Reece, A.) To provide for the expungement of official records related to the apprehension, arrest, criminal charging, or trial of a person based on mistaken identity. (1st Hearing-Sponsor)
Senate Education (Committee Record) (Chr. Lehner, P., 466-4538), Finance Hearing Rm., 4 p.m.

- Paolo DeMaria, Superintendent of Public Instruction, will testify on the revised English language arts and math learning standards pursuant to 3301.079 (J).

HB 410 **TRUANCY** (Rezabek, J., Hayes, B.) With regard to habitual and chronic truancy and compulsory school attendance. (5th Hearing-All testimony-Possible amendments & vote)

HB 89 **MEDICAID SCHOOL PROGRAM** (DeVitis, T.) Regarding the Medicaid School Program. (3rd Hearing-All testimony-Possible vote)

SB 126 **OPEN ENROLLMENT** (Sawyer, T.) To terminate interdistrict open enrollment on that date with the possibility of renewal following the General Assembly's examination of the study's findings. (1st Hearing-Sponsor)

Wednesday, November 30

House Public Utilities (Committee Record) (Chr. Dovilla, M., 466-4895), Rm. 121, 9 a.m.

HB 525 **911 CALLS** (Johnson, G.) To require multi-line telephone systems to have a default configuration that permits users to directly initiate a call to 9-1-1 without dialing any additional digit or code. (1st Hearing-Sponsor)

HB 589 **UTILITY RESELLING** (Duffey, M.) To permit the Public Utilities Commission to adopt rules governing residential utility reselling. (1st Hearing-Sponsor)

HB 72 **PORT AUTHORITIES** (Condit, M.) To authorize port authorities to create energy special improvement districts for the purpose of developing and implementing plans for special energy improvement projects and to alter the law governing such districts that are governed by a nonprofit corporation. (5th Hearing-Possible substitute)

HB 554 **RENEWABLE ENERGY** (Amstutz, R.) To revise the requirements for renewable energy, energy efficiency savings, and peak demand reduction and to revise provisions governing which customers can opt out of related programs. (3rd Hearing-All testimony-Possible amendments & vote)

Senate Health & Human Services (Committee Record) (Chr. Jones, S., 466-9737), North Hearing Rm., 9 a.m.

- Agenda to be announced
Senate Financial Institutions (Committee Record) (Chr. Hughes, J., 466-5981), Finance Hearing Rm., 10 a.m.

SB 355 **LOAN ACT** (Peterson, B.) To create the Ohio Consumer Installment Loan Act. (2nd Hearing-All testimony-Possible amendments)

Senate Transportation, Commerce & Labor (Committee Record) (Chr. LaRose, F., 466-4823), North Hearing Rm., 10:15 a.m.

- Ferzan Ahmed, State Board of Registration for Professional Engineers and Surveyors; Andrew Bainbridge, JD, Ski Tramway Board; Kristine Burdick and Rowland Giller, III, Ohio Real Estate Commission; James Gasior and Michael Peterson, Ohio Turnpike and Infrastructure Commission; Stephanie Green, Janet Orosz and Richard Zaleski, Ohio Fair Plan Underwriting Association Board of Governors; W. Craig Zimpher, State Employment Relations Board; Bill Dingus, Chris Kershner and Christopher Powell, Transportation Review

Advisory Council; J. Richard Lumpe, State Employment Relations Board; Ross McGregor, State Personnel Board of Review; Scott Murray, Board of Motor Vehicle Repair; Thomas Needles, Motor Vehicle Dealers Board; Gary Siciliano, Motor Vehicle Salvage Dealers Licensing Board and George Snyder, State Board of Emergency Medical, Fire, and Transportation Services

- HB 341** TRANSPORTATION LAWS (Young, R., Sweeney, M.) To require the Public Utilities Commission to raise the existing statutorily designated towing and storage fees annually by the percentage increase in the consumer price index, to establish a \$35 fee for the retrieval of nonmedical personal items from a motor vehicle, to modify the civil penalties applicable to violations of the towing law, to modify the calculation of the value of an abandoned vehicle to which a towing service or storage facility seeks to take title, and to make other changes to the towing law. (2nd Hearing-Opponent & interested party)
- HB 532** REAL ESTATE SALES (Smith, R.) Relating to real estate brokers and salespersons. (2nd Hearing-All testimony-Possible amendments & vote)
- SB 345** LICENSE PLATE (Jones, S.) To create the Conquer Childhood Cancer license plate. (1st Hearing-Sponsor)
- SB 359** LICENSE PLATE (Uecker, J.) To create the Down Syndrome Awareness license plate. (1st Hearing-Sponsor)
- SB 361** LICENSE PLATE (Thomas, C.) To create the "Triple Negative Breast Cancer Awareness" license plate. (1st Hearing-Sponsor)
- SB 363** LICENSE PLATE (Oelslager, S.) To create the "Buckeye Corvette" license plate. (1st Hearing-Sponsor)
- HB 436** DUI SENTENCES (Cupp, R., Rogers, J.) To authorize a judge that grants limited driving privileges to a second-time OVI offender to order the termination of the mandatory immobilization order. (1st Hearing-Sponsor)
- HB 455** BOARDING SCHOOL ZONE (Patterson, J., Roegner, K.) To authorize a municipal corporation or township to establish a boarding school zone and a special speed limit within that zone. (2nd Hearing-All testimony)
- Senate Rules & Reference (Committee Record) (Chr. Faber, K., 466-7584), Majority Conf. Rm., 11 a.m.
- Senate Criminal Justice (Committee Record) (Chr. Eklund, J., 644-7718), South Hearing Rm., 11:15 a.m.
- Confirmation hearing on governor's appointments of Larry Mincks, Sr. and Christopher Viland, Ohio Organized Crime Investigations Commission

- HB 172** CRIMINAL RECORDS (Barnes, J.) To enact the Fair and Accurate Reporting of Criminal Records Law, to require certain business entities that publish criminal record information to ensure that the information is complete and accurate, to provide a procedure by which a subject of published criminal record information may have incomplete or inaccurate information corrected or removed from the publication, and to provide remedies for the failure of a business entity to remove or correct incomplete or inaccurate information. (1st Hearing-Sponsor)
- SB 237** DRUG VOLUME (LaRose, F.) To provide that five milligrams or more of fentanyl or an amount equal to or exceeding one gram of a compound, mixture, preparation, or

substance that contains any amount of fentanyl and that is not in a final dosage form manufactured by an authorized manufacturer constitutes a bulk amount for purposes of the laws governing drug offenses, to revise the manner of determining sentence for certain violations of the offense of permitting drug abuse, and to add lisdexamfetamine to the list of schedule II controlled substances. (5th Hearing-All testimony-Possible amendments & vote)

SB 162

DEATH SENTENCES (Seitz, B., Williams, S.) To provide that a person convicted of aggravated murder who shows that the person had a serious mental illness at the time of committing the offense cannot be sentenced to death for the offense and to provide a mechanism for resentencing to a life sentence a person previously sentenced to death who proves that the person had a serious mental illness at the time of committing the offense. (7th Hearing-All testimony-Possible amendments & vote)

SB 195

SEXUAL CONDUCT (Hughes, J., Hottinger, J.) To prohibit a person from engaging in sexual conduct with an animal and related acts, to provide for the seizure and impoundment of an animal that is the subject of a violation, and to authorize a sentencing court to require an offender to undergo psychological evaluation or counseling. (5th Hearing-All testimony-Possible vote)

SB 265

CASINO OPERATORS (Seitz, B.) To specify that the criminal penalty related to casino operators and employees participating in casino gaming applies at their casino facility or an affiliated casino facility. (5th Hearing-All testimony-Possible amendments & vote)

HB 405

IMPORTUNING (Schaffer, T., Smith, K.) To amend the penalties for the offense of importuning. (3rd Hearing-All testimony-Possible amendments & vote)

HB 185

ARSON (Koehler, K.) To eliminate lack of the property owner's consent as an element of arson when the property is abandoned real property and to make the consent of the owner of abandoned real property an affirmative defense. (4th Hearing-All testimony-Possible amendments & vote)

HB 521

PAROLE ELIGIBILITY (Manning, N.) To provide special parole eligibility dates for persons with an indefinite or life sentence imposed for an offense committed when the person was less than 18 years of age, to require the Parole Board to consider specified mitigating factors in those cases, and to require notice to the Ohio Public Defender and prosecuting attorney prior to the parole consideration hearing. (2nd Hearing-All testimony-Possible amendments & vote)

HB 439

VOYEURISM (Anielski, M.) To include an impaired person as a victim of voyeurism and to include conduct involving an impaired person within the offenses of pandering obscenity involving a minor, pandering sexually oriented matter involving a minor, and illegal use of a minor in a nudity-oriented material or performance. (2nd Hearing-Proponent)

SB 316

SEXUAL IMPOSITION (Hughes, J.) To increase the penalty for sexual imposition when the offender previously has been convicted of or pleaded guilty to three or more violations of sexual imposition or other specified sex offenses. (2nd Hearing-Proponent)

Canceled: House Session (Chr. Rosenberger, C., 466-3357), House Chamber, 1:30 p.m.

- If needed

Senate Session (Chr. Faber, K., 466-4900), Senate Chamber, 1:30 p.m.

House State Government (Committee Record) (Chr. Maag, R., 644-6023), Rm. 121, 2:30 p.m.

- SB 227** ATTORNEY GENERAL (Bacon, K.) To make various changes to the laws governing the duties and functions of the Attorney General. (2nd Hearing-Opponent-Possible amendment & vote)
- HB 577** LAME DUCK SESSIONS (Boose, T.) To prohibit the General Assembly from holding sessions after the general election in an even-numbered year. (1st Hearing-Sponsor)
- HJR 7** BANKING FUNCTIONS (Sheehy, M., Ramos, D.) To urge the United States Congress and the President of the United States to enact legislation that would reinstate the separation of commercial and investment banking function that was in effect under the Glass-Steagall Act. (1st Hearing-Sponsor)
- HR 383** TRAIN CREWS (Sheehy, M., Lepore-Hagan, M.) To support the Federal Railroad Administration's proposed rule requiring trains operated in the United State to have at least a two-person crew. (1st Hearing-Sponsor)
- HB 331** SAFETY BELTS (Phillips, D.) To require all passengers in automobiles to wear safety belts. (1st Hearing-Sponsor)
- HR 344** CORPORATE BOARDS (Johnson, G., Boggs, K.) To urge equitable and diverse gender representation on the corporate boards of directors of companies based in Ohio. (1st Hearing-Sponsor)
- HB 494** FIREARMS (Antonio, N., Boyd, J.) To require a court that issues a protection order to determine if the respondent is prohibited from carrying or possessing a firearm, to require a court to determine whether an offender who has been convicted of specified offenses is prohibited from carrying or possessing a firearm, and to require a respondent or offender who the court determines is prohibited from carrying or possessing a firearm to transfer all firearms in the person's possession to a law enforcement agency or a federally licensed firearms dealer. (1st Hearing-Sponsor)
- HB 324** DAY DESIGNATION (Ramos, D.) To declare November 23rd as Fleet Admiral Ernest Joseph King Day. (1st Hearing-Sponsor)
- HB 381** NUTRITION PROGRAMS (Ramos, D., Howse, S.) To require the Director of Job and Family Services to request a federal waiver of time limits for certain Supplemental Nutrition Assistance Program recipients. (1st Hearing-Sponsor)
- HB 332** REPLICA VEHICLE TITLES (Patterson, J.) To provide that when a certificate of title is issued for a motor vehicle, the owner may request that the certificate indicate that the motor vehicle is a replica vehicle. (1st Hearing-Sponsor)
- HB 330** EQUAL PAY CERTIFICATE (Howse, S., Clyde, K.) To require a contractor or person submitting a bid or other proposal for a state contract or a business entity applying for a grant or other economic incentive from a state agency to obtain an equal pay certificate, to require state agencies and political subdivisions to establish a job evaluation system to identify and eliminate sex-based wage disparities among classes of employees, and to prohibit an employer from retaliating against an employee who discusses the employee's salary or wage rate with another employee. (1st Hearing-Sponsor)

HB 337 DAY DESIGNATION (Clyde, K.) To designate the fourth Tuesday of September as Ohio Voter Registration Day. (1st Hearing-Sponsor)

HR 56 EQUAL PAY DAY (Fedor, T.) To recognize April 14, 2015, as Equal Pay Day to encourage public awareness of the gender wage gap. (1st Hearing-Sponsor)

HB 329 DAY DESIGNATION (Howse, S., Boyd, J.) To designate February 23 as Louis Stokes Day. (1st Hearing-Sponsor)

HB 519 LSC DUTIES (Howse, S.) To require the Director of the Legislative Service Commission to prepare a human impact statement concerning a bill or resolution that proposes to amend the law governing criminal justice. (1st Hearing-Sponsor)

HCR 23 DAY DESIGNATION (Howse, S.) To designate June 15, 2015, as Karamu House Day. (1st Hearing-Sponsor)

Senate Agriculture (Committee Record) (Chr. Hite, C., 466-8150), South Hearing Rm., 4:30 p.m.

SB 271 POLICE ANIMALS (Gentile, L.) To authorize a law enforcement officer to purchase a police dog or horse for fair market value when the officer retires in good standing from a law enforcement agency and certain conditions are met, and to declare an emergency. (2nd Hearing-All testimony-Possible vote)

Thursday, December 1

Senate Financial Institutions (Committee Record) (Chr. Hughes, J., 466-5981), Finance Hearing Rm., 9 a.m.

SB 355 LOAN ACT (Peterson, B.) To create the Ohio Consumer Installment Loan Act. (3rd Hearing-All testimony-Possible amendments & vote)

Senate Transportation, Commerce & Labor (Committee Record) (Chr. LaRose, F., 466-4823), North Hearing Rm., 9:30 a.m.

HB 341 TRANSPORTATION LAWS (Young, R., Sweeney, M.) To require the Public Utilities Commission to raise the existing statutorily designated towing and storage fees annually by the percentage increase in the consumer price index, to establish a \$35 fee for the retrieval of nonmedical personal items from a motor vehicle, to modify the civil penalties applicable to violations of the towing law, to modify the calculation of the value of an abandoned vehicle to which a towing service or storage facility seeks to take title, and to make other changes to the towing law. (3rd Hearing-Proponent & interested party-Possible amendments & vote)

HB 455 BOARDING SCHOOL ZONE (Patterson, J., Roegner, K.) To authorize a municipal corporation or township to establish a boarding school zone and a special speed limit within that zone. (3rd Hearing-All testimony-Possible amendments & vote)

SB 202 FRONT LICENSE PLATE (Thomas, C.) To specify that failure to display a license plate on the front of a motor vehicle that is required to display a license plate on the front and rear of the vehicle is a secondary traffic offense, to establish a maximum fine of \$25 for such an offense, to name this act the "DuBose Was A Beacon Act," and to amend the version of section 4503.21 of the Revised Code that is scheduled to take effect January 1, 2017, to continue the provisions of this act on and after that effective date. (1st Hearing-Sponsor)

- HB 436** **DUI SENTENCES** (Cupp, R., Rogers, J.) To authorize a judge that grants limited driving privileges to a second-time OVI offender to order the termination of the mandatory immobilization order. (2nd Hearing-All testimony-Possible amendments & vote)
- HB 236** **PROFESSIONAL ENGINEERS** (Landis, A., Blessing, L.) To require professional engineers to complete continuing professional development hours in professional ethics or rules relevant to engineering or surveying practices. (4th Hearing-All testimony-Possible amendments & vote)
- SB 249** **ROOFING CONTRACTORS** (Patton, T.) To require commercial roofing contractors to have a license. (3rd Hearing-All testimony)
- House Finance (Committee Record) (Chr. Smith, R., 466-1366), Rm. 313, 10 a.m.
- SB 235** **PROPERTY TAXES** (Beagle, B., Coley, B.) To exempt from property tax the increased value of property on which industrial or commercial development is planned until the completion of new commercial or industrial facilities at the property. (4th Hearing-All testimony-Possible amendments, substitute & vote)
- SB 331** **PET STORES** (Peterson, B.) To regulate the sale of dogs from pet stores and dog retailers and to require the Director of Agriculture to license pet stores. (2nd Hearing-All testimony-Possible substitute)
- SB 319** **DRUG REGULATIONS** (Eklund, J.) To revise certain laws regarding the regulation of drugs, the practice of pharmacy, and the provision of addiction services. (2nd Hearing-Possible substitute)
- SB 332** **INFANT MORTALITY** (Jones, S., Tavares, C.) To provide for the implementation of recommendations made by the Commission on Infant Mortality and to authorize pharmacists to administer by injection certain prescribed drugs. (2nd Hearing-Possible substitute)

Senate Session (Chr. Faber, K., 466-4900), Senate Chamber, 11 a.m.

Senate Rules & Reference (Committee Record) (Chr. Faber, K., 466-7584), Majority Conf. Rm., 11 a.m.

Tuesday, December 6

House Session (Chr. Rosenberger, C., 466-3357), House Chamber, 11 a.m.

Senate Rules & Reference (Committee Record) (Chr. Faber, K., 466-7584), Majority Conf. Rm., 11 a.m.


Senate Session (Chr. Faber, K., 466-4900), Senate Chamber, 1:30 p.m.

Wednesday, December 7

Senate Rules & Reference (Committee Record) (Chr. Faber, K., 466-7584), Majority Conf. Rm., 11 a.m.

House Session (Chr. Rosenberger, C., 466-3357), House Chamber, 1:30 p.m.

Senate Session (Chr. Faber, K., 466-4900), Senate Chamber, 1:30 p.m.

NOTE: Click bill or resolution number links to see the legislative history compiled by Gongwer News Service. Click the  after a bill number to create a saved search and email alert for that bill. Click "Full Text" if present to view the text of legislation on the Legislature's Web site.

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Volume #85, Report #225 -- Tuesday, November 22, 2016

Senate Hears Mixed Review Of Energy Freeze Bill; Early December Committee Vote Eyed

The state's top consumer utility advocate told a Senate panel Tuesday the renewable energy and energy efficiency benchmarks in a Senate bill are "reasonable."

But Ohio Consumers' Counsel Bruce Weston said in testimony before the Senate Energy & Natural Resources Committee that he still has plenty of concerns with the proposal (SB 320).

Mr. Weston's was one of a trio of witnesses on both sides of the issue to appear before the committee during the bill's third hearing.

Questioned by Chairman Sen. Troy Balderson (R-Zanesville), Mr. Weston said that a 12.5% renewable energy benchmark for 2029 and beyond was reasonable in his view. As for the 17% benchmark for energy efficiency - which was reduced from the bill's earlier 22% - Mr. Weston said that number is on the lower end of "something I could accept as reasonable."

Sen. Balderson said in an interview he has no intention of holding a vote on the issue next week considering the holiday and the short notice interested parties received about Tuesday's hearing.

"We'll have some more hearings," Sen. Balderson said. "We want to give everyone adequate time. We'd like to have at least something by the first of December that we can vote on."

Several amendments have been drafted behind the scenes, although it's unclear if and when they'll be introduced for consideration. Sponsor Sen. Bill Seitz said he is unsure whether he will introduce any of his prepared amendments next week.

"I think there are a couple things we could tweak along the way, but, yes, I do feel good about it," Sen. Balderson said of the status of the bill. "And I know one amendment might be the mercantile opt out. It's in there right now (to start) in 2019, but 2017 was talked about last week in committee."

Outlining his concerns with the bill, Mr. Weston urged the committee to: preclude utilities from charging consumers for shared savings that are not a direct result of utility programs or that are unrelated to electricity sales; add language to protect consumers from bearing any cost associated with the mercantile opt-out program, and; prohibit consideration of renewables and energy efficiency in cases other than those intended for implementing the energy standards.

Responding to a question from Sen. Seitz, Mr. Weston floated the idea of a 3% cost cap for consumers. He also argued for requiring utilities to use competitive bidding when retaining providers or vendors when implementing their energy efficiency programs.

He further advised against any attempts to add language permitting electricity rate hikes if a utility's financial integrity is at risk.

"If such a change in the law is to be considered by the legislature, it should be done in a standalone bill with a full public hearing process and not rushed in this limited post-election session," Mr. Weston said.

Brakey Energy President Matt Brakey was the only proponent to testify during this week's hearing. He said the company fully supports the mercantile customer opt-out and would even urge the provision to be enacted sooner.

The bill as written would expand opt-out eligibility to businesses consuming more than 700,000 kilowatt hours per year - a move opponents say is premature considering the existing opt-out doesn't begin until 2017. (See Gongwer Ohio Report, November 17, 2016)

Even if the opt-out timeline isn't advanced, Mr. Brakey said, lawmakers should act fast in reaching a resolution before the ongoing freeze on energy standards expires at year's end.

"Because of the cycle time of the electric distribution utilities, delaying commonsense reforms will require the utilities to launch another expensive, multi-year installment toward compliance that will be passed onto Ohio's residential, commercial, industrial, and institutional customers," he said. "This is an outcome Ohioans cannot afford."

Environmental Law and Policy Center Senior Attorney Rob Kelter said the group opposes the bill's removal of compliance mechanisms for the first three years.

Opponents argue such language waters down the state's approach to renewables while proponents say it buys the state more time pending the legal resolution of the Clean Power Plan.

"The utilities recover both their costs and lost revenues related to energy efficiency so they are held harmless. On top of that they share the savings they generate for customers through shared savings mechanisms that all the utilities have achieved," Mr. Kelter said. "Some utilities have earned bonuses as high as \$20 million per year from running the programs. Making the standards voluntary sends the wrong signal regarding the importance of the standards and the need to meet the targets."

Mr. Kelter said the group also opposes both the lowering of the energy efficiency benchmark to 17% and the potential expansion of the mercantile opt-out program.

"Somehow, listening to the testimony and comments from proponents, one would think

Ohio is about to become California," Mr. Kelter said. "We are only looking for a very reasonable and doable level of efficiency and renewables that will benefit all Ohioans through both cleaner air and lower bills."

Alan Rosenfield submitted written opponent testimony on behalf of the League of Women Voters of Ohio, saying that the bill "continues bad policy by refusing to require a reasonable percentage of energy come from renewable sources."

"We reject the idea that SB320 lifts the two-year freeze imposed on renewable energy requirements," he wrote. "We urge that the current language of O.R.C. 4928-64 be retained and oppose any changes in that section that are included in SB320."

Senate Panel Takes Up Ignition Interlock Device Measure

First-time OVI offenders could have the opportunity to be granted unlimited driving privileges, with a catch, under a House bill reviewed in the Senate Tuesday.

The legislation (HB 388) sponsored by Rep. Gary Scherer (R-Circleville) would allow first-time offenders to petition the court for unlimited driving privileges with an Ignition Interlock Device during the offender's driver's license suspension.

"Our current laws contain an ineffective system of limited driving privileges. The offender first has a period of 15 days where he or she cannot drive at all. Then he or she can obtain limited driving privileges from the judge and may be granted access to any occupational, educational, vocational, or medical destinations as well as commercial licensing exams and court mandated appearances during certain times of the day," he told members of the Senate Insurance Committee Tuesday.

"Second-time offenders are required to use a certified Ignition Interlock Device (IID) if restricted driving has been permitted. Second time offenders are also required to employ yellow license plates on their vehicles. The second offense provisions all too often give rise to plea bargains to reduce the overall punishment."

The legislation, dubbed "Annie's Law," also lengthens the first-time minimum suspension from six months to 12 months. However, that suspension can be cut in half if a court grants a request to use an IID.

In addition, the measure would also require a first-time offender to obtain a restricted license indicating the use of an IID is required.

"It is important to note that this language is permissive: the offender is not required to request the use of the device, nor is the judge required to allow the use of the device. The IID petition can only be granted at the time of conviction, not at the time of the arraignment. There is no change to current law for the time from arrest to conviction," Rep. Scherer said.

Yet another provision of the bill would extend the look-back period for OVI offenses from six to 10 years.

Sen. Edna Brown (D-Toledo) questioned the rationale behind that provision.

Rep. Scherer said it was requested by municipal court judges who believe the six-year window is not long enough.

In researching the legislation, Rep. Scherer told the panel that he voluntarily installed an IID in his own vehicle and sought to allay some of the misconceptions about the device, including the belief that an impaired driver could have a child blow into it to allow a vehicle to be started.

"It's not that simple to use," he said. "It does require a velocity of air going through the device, and a sustained velocity."

Chairman Sen. Jay Hottinger (R-Newark) asked if the devices require a driver to do anything while operating a vehicle.

Rep. Scherer said that some do require a "rolling retest," which he was initially opposed to until he learned that 28 states with similar laws also mandate continued testing after the initial one to allow the vehicle to start.

"It is not a significant burden," he said. "You can always pull over to the side of the road to do it. I found that once I got used to it, I didn't need to pull over to do it."

The bill is named after Annie Rooney, who was killed by a drunken driver in 2013.

"The woman who hit Annie that fateful day had at least three misdemeanor charges of operating a vehicle while impaired filed against her. Since her death, Annie's family has worked with Mothers Against Drunk Driving and others in their cause to reduce the number of casualties to this horrible tragedy that occurs far too often," Rep. Scherer said.

The bill has been in the works for three years and currently has no known opposition, Rep. Scherer told the panel.

The measure cleared the House in an 84-5 vote in May. (See Gongwer Ohio Report, May 18, 2016)

Proponents Urge Senate Support For Ohio EPA Updates

More than a dozen proponents testified or submitted written testimony to the Senate Energy & Natural Resources Committee Tuesday on the governor's second OEPA-themed mid-biennium review bill.

During the bill's (SB 333) second hearing before the committee, lawmakers asked no questions as witnesses touted what they perceive as the bill's merits.

By and large, the group said the bill would install much-needed oversight over construction and demolition debris processing plants, refocus the mission of the Lake Erie Commission, and permit the Ohio Environmental Protection Agency's director to waive, transfer or revoke a 401 water quality certification. (See Gongwer Ohio Report, May 18, 2016)

Ohio Environmental Council Deputy Director Jack Shaner thanked the OEPA for participating in stakeholder meetings to gather feedback, saying the group is "confident that constructive compromise amendments will emerge."

That's because the group, which supports the bill, still has two areas of concern, Mr. Shaner said.

One provision worth revisiting, he said, is language that makes substantive changes to the makeup, authority and duties of the Lake Erie Commission. The bill's intent is to refocus the commission on helping the state meet its obligations under the Great Lakes Water Quality Agreement.

"It remains unclear how and to what extent the commission will ensure the...implementation of federal, state and local policies, programs and issues," Mr. Shaner said, recommending instead the language be changed so the commission can ensure coordination of "the funding, implementation, and monitoring" of those areas.

The group also requested a change in language enabling the OEPA director to grant 401 waivers, which proponents say will speed up projects already approved by the U.S. Army Corps of Engineers.

OEC argues the waiver should be considered a final appealable order and should not be issued within 90 days of the agency's receipt of a complete application to allow actual agency review. Further, the group said the director should be required to include written justification for granting the waiver.

Cuyahoga County Solid Waste District Executive Director Diane Bickett testified the bill would address "serious problems" stemming from unregulated C&DD processing facilities in the county. She said such sites accumulate waste, becoming eyesores and ultimately shifting the burden of cleanup onto taxpayers.

"Most of the debris being accepted at this and other sham recycling facilities is debris resulting from the demolition of vacant homes," she said. "Demolition contractors cut costs by taking the debris to these sham recycling sites because they undercut the disposal fees that legitimate recyclers and landfills must charge in order to operate properly."

Ohio Environmental Health Association President Chad Brown said the group has spent a decade trying to address issues within the C&DD industry, but has made little progress without legislative action.

"There have been cases in all regions of the state where materials have been stockpiled without being processed properly, which has resulted in public nuisance situations," Mr. Brown said. "SB333 aims to address these nuisance conditions and provide the proper authority to OEPA and local health departments to address these issues."

Other witnesses praised different facets of the bill. Ohio Chamber of Commerce Director of Energy and Environmental Policy Zachary Frymier said the bill would improve business efficiency and surface water quality by strengthening the Certified Water Quality Professional Program.

Agreeing the bill would allow the state to address "bad actors" in the C&DD industry, he also praised the 401 waiver provision.

Ohio Rural Water Association Executive Director Kevin Strang singled out the bill's requirement that private water systems maintain an asset management plan. He said his association regularly assists systems with few resources that have overlooked or delayed maintenance and inventory planning.

"We have most recently provided extensive services to the villages of Botkins in Shelby County, Gratis in Preble County, and Spring Valley in Green County," he said. "In these three systems alone we project potential long term savings in excess of \$500,000 by reducing the need for premature repairs and replacement of system equipment."

Others testifying in support of the measure included Geoff Guss of Coschoton's McWane Ductile, professional engineer Alan Olsen, Great Lakes RCAP Director Debbie Martin, Hecla Water Association Inc. General Manager Tony Howard, and Materials Management Advisory Council Chairman Michael Dineen.

Submitting written proponent testimony were Port of Cleveland Vice President of External Affairs Jade Davis, Cuyahoga County Health Commissioner Terry Allan, Aqua Ohio Inc. and Aqua Ohio Wastewater Inc. President Ed Kolodziej, CSX Resident Vice President Rusty Orben, and a pair of Ohio residents.

Committee Chair Raises Concerns About Insurance Bill

The leader of a Senate committee on Tuesday questioned the efficacy of a measure designed to prevent certain uninsured drivers from collecting non-compensatory damages as a result of a traffic accident.

Sen. Jay Hottinger (R-Newark), chairman of the Senate Insurance Committee, said a recent study found that the measure (HB 279) would decrease the rate of uninsured drivers on Ohio's roadways by just 1.6%.

"Candidly, 1.6% is probably certainly inside the margin of error," he said.

Sponsoring Rep. Michael Henne (R-Clayton) said the legislation is about fairness. He likened the circumstances it addresses to a group that buys lottery tickets and hits a jackpot, then someone who did not contribute to the purchase asking for a share of the winnings.

"If everybody participates then we are protecting everybody," he said.

Sen. Hottinger also raised concerns about a letter from the Ohio Judicial Conference sent to Rep. Jeff Rezabek (R-Clayton), a co-sponsor of the bill, that suggested the measure could violate both the Equal Protection and Due Process clauses of the Ohio Constitution.

But Rep. Henne said just one state's high court found a similar measure to be unconstitutional.

Under the bill, those who have a previous conviction of driving without insurance in the past seven years would be barred from seeking non-compensatory damages in the event of a traffic accident.

"They can still collect damages for their damaged property, medical bills, and loss of wages," Rep. Henne said.

Uninsured motorists would still be able to sue for non-economic damages in what Rep. Henne described as egregious situations, including crashes involving a four- or six-point offense, texting while driving and wrongful death. Drivers under the age of 18 will also be exempted from the law.

An estimated 15% of Ohio drivers are uninsured, above the national average of 13%, according to Rep. Henne.

The number of crashes involving uninsured drivers increased from 50,151 in 2011 to 95,000 in 2015, he said.

"Drivers who repeatedly choose not to participate in a system that is designed to protect all drivers, by failing to purchase the required minimum limits of liability protection, will no longer receive the full benefits of this system," he said. "If they are injured by another driver, HB279 affords the uninsured driver more than the amount of protection they offer their victims."

Sen. Hottinger was not alone in questioning the measure. Sen. Edna Brown (D-Toledo) said she supports the goal behind the bill, but does not believe it will accomplish "a great deal."

"I would like to see a bill where we come forth with some method by which we use some other stick," she said.

Adding that there are many Ohioans who cannot afford liability insurance and lack access to public transportation, the Democrat said, "We need something else. We need to look at the possibility that there may be extenuating circumstances."

Rep. Henne replied by saying that if someone does not have the financial means to obtain liability insurance, they don't have the financial means to drive a vehicle.

"Should we allow people to run through red lights if they are late for work?" he asked.

The legislation passed the House in May on a largely party-line vote of 62-35, with Reps. Jonathan Dever (R-Cincinnati) and Louis Terhar (R-Cincinnati) voting with the Democrats on opposition. (See Gongwer Ohio Report, May 25, 2016)

Medical Board Closes Investigation Into Dayton Abortion Clinic

Anti-abortion groups on Tuesday called for further government action against a Dayton-area clinic following the State Medical Board of Ohio's closure of a case involving the facility.

Ohio Right to Life and Dayton Right to Life urged the board to either disclose the investigative record or reopen the probe into Women's Med Center in Kettering regarding a June incident in which a patient received an abortion despite being unable to consent due to a drug overdose.

Dayton Right to Life filed complaints with the board earlier this year after an incident report from the Ohio Department of Health. The patient had taken a number of drugs the day of the scheduled abortion and was unable to walk on her own or keep her eyes open, according to the report. (See Gongwer Ohio Report, August 4, 2016)

Paul Coudron, executive director of Dayton Right to Life, said he received a notice from the Medical Board that the cases against the doctors at the facility had been closed with no action taken.

"The women of Dayton deserve to know why no action, not even a reprimand, has been taken by this institution," he said at a Columbus news conference.

Mr. Coudron and Devin Scribner, executive director of Ohio Right to Life, said they want the board either to release the record of their investigation or to reopen the case.

"Today we're here to call for action from the State Medical Board," Mr. Scribner said. "Case closed is not good enough for us."

Katherine Franklin, spokeswoman for Ohio Right to Life, said the issue is one of informed consent and should be of concern for Ohioans regardless of their attitudes toward abortion.

"This is much more a question of ethics in medicine more than it is politics," she said. "Pro-choice and pro-life advocates should be demanding action on this case, because it gets to the heart of a woman's right to say no and control her own bodily autonomy."

Michael Gonidakis, the president of Ohio Right to Life, serves as president of the State Medical Board but said he would recuse himself in the case. The investigation was closed by board staff and never required a hearing before the board.

Tessie Pollock, a spokeswoman for the board, said the details of complaints and investigations are confidential.

"When we receive complaints about informed consent, we investigate fully, as we do with all complaints against licensees," she said in an email. "Informed consent is an essential part of a physician's standard of care; failure to obtain informed consent is a failure to meet the minimal standard of care required of Ohio licensed physicians."

Investigative staff at the board have access to medical records, interviews with providers, patients, complainants and experts, and can subpoena documents, she said.

Kellie Copeland, executive director of NARAL Pro-Choice Ohio, said the case has been reviewed and closed.

"When this case opened, the Ohio Department of Health investigated and asked the provider to rewrite their policy, which they did," she said in a statement. "Both the health department and the State Medical Board have looked into this case, and neither have decided additional action is necessary. Case closed."

"Women in Ohio need access to safe and legal abortion care from providers like Women's Med Center," she added. "They don't need political interference from Ohio Right to Life."

Buckeye Institute Touts Charity Care; OSMA Launches Opioid Campaign; Innovation Ohio Eyes Food Insecurity

The state could encourage more affordable health care by incentivizing doctors to perform charity care, according to a policy brief by the Buckeye Institute.

Bureaucratic hurdles in Medicaid create a situation in which doctors often refuse new patients, and limitations on voluntary charity care would help doctors and nurses reach more people, wrote Greg Lawson, Statehouse liaison for the Buckeye Institute.

The policy brief encouraged lawmakers to allow health care professionals to receive continuing education credits in exchange for providing charity care to underserved Ohioans. Other states, such as Florida, allow medical professionals to earn credit for up to a certain number of hours or a certain percentage of credit per renewal period. Bills have been introduced (HB 488 and SB 292) to deal with these issues.

"Healthcare providers must maintain a requisite number of CE credits to practice in Ohio, and allowing some of those credits to be earned through charity care will increase the supply of quality treatment available to the poor," Mr. Lawson wrote.

Other possible changes that would improve access to charity care include broadening immunity provisions that protect charity care providers from malpractice lawsuits, the brief said, and relaxing regulatory requirements on licensed nurses. A bill (HB 216) to increase the autonomy of advanced practice registered nurses has cleared the House and is currently before a Senate committee.

"These are examples of the kind of reforms that could be pursued as policymakers devise ways to extend access to more affordable healthcare to our neediest patients and communities," Mr. Lawson wrote.

OSMA Opioid Campaign: The Ohio State Medical Association has launched a campaign aimed at fighting the problem of misuse and abuse of opioid painkillers.

The campaign, called BeSmart, includes posters and prescription pads for doctors and prescribers to use that raise awareness of information about the potentially addictive and dangerous drugs.

The materials include links and numbers for drug-related resources and advice for people who are prescribed opioids, people who are prescribed non-opioid treatments, and for talking to children about drug abuse.

Food Insecurity Report: An investment of \$16 million in the Ohio State Extension nutrition education programs could lift 24,000 Ohioans out of food insecurity, according to a report from the Innovation Ohio Education Fund.

The report looked at a number of potential policy solutions for dealing with the state's high rate of food insecurity, including improving the nutrition education programs, expanding the number of counties with SNAP eligibility waivers, reforming the state earned income tax credit and investing in job creation programs.

It found the education funding to be highly effective, while grading it a medium for efficiency and political feasibility.

"Based on the above analysis, I recommend that the state of Ohio expand its nutrition education program and expand the number of counties with SNAP eligibility waivers," author Rob Moore wrote. "EITC reforms and job programs, while potentially valuable for other reasons, are unlikely to significantly decrease food insecurity in the state without large, expensive investments."

"A state-funded SNAP-Ed program funded at \$16 million (a modest 0.6% increase in higher education spending for Ohio and one tenth the size of an EITC expansion) would lead to a projected reduction in food insecurity that would lift 24,000 Ohioans out of food insecurity," he added.

Farmers Union Prices Thanksgiving Dinner; AG Warns On Holiday Shopping Scams; DSW Sales Up

Farmers will see less than 20% of consumer dollars spent on popular holiday menu items this year, according to an annual report.

The Thanksgiving edition of the National Farmers Union Farmer's Share publication found that farmers receive 19.4 cents of every food dollar spent on 15 common holiday foods. Most of the cost of traditional fare comes from marketing, processing, wholesaling, distribution and retailing.

Throughout the year, research has found farmers take in a little more than 17 cents for every food dollar consumers spend, NFU said.

"It's important to understand the difference between the price consumers pay for food at the grocery store or restaurant and the commodity prices farmers are paid for their products, NFU President Roger Johnson said in a statement.

"Just recently, food costs started to drop, but farm and ranch families have been plagued by low commodity prices for nearly three years," he said. "Comparatively, the costs associated with the rest of the supply chain have a more pronounced effect on consumers' food prices."

Turkey growers receive about 89 cents per pound retailing at \$1.59, while wheat farmers averaged four cents on a dozen dinner rolls that retail for \$3.29 and dairy producers received \$1.44 for the average \$4.49 gallon of fat free milk, the report shows.

Holiday Shopping: The Better Business Bureau and Attorney General Mike DeWine are working to inform consumers about how to keep themselves and their wallets safe as the holiday shopping season officially kicks off this week.

The AG's office released a list of tips for the estimated 137.4 million shoppers expected to take to stores over the Thanksgiving holiday weekend.

It includes recommendations to make plans before getting to stores, diligently reading fine print in ads and on "free" offers, and monitor bank accounts for any fraudulent charges.

"We encourage consumers to take some simple steps to protect themselves," Attorney General DeWine said. "Whether they're shopping online or in stores, we encourage people to take their time, understand the details, and ask for help if they need it. Awareness can go a long way in preventing problems."

BBB, meanwhile, has launched a new #AdTruth campaign to highlight common schemes companies use to lure in business and inform shoppers about how to truly find the best deals.

As more purchasing moves to the internet, BBB is also providing information about how to determine if a website or advertising emails are credible.

DSW: Third-quarter sales increased 4.7% to \$697 million compared to the same period last year, when sales decreased 2%, the company reported.

The Columbus-based footwear and accessories retailer also reported net income of \$39 million, or \$0.47 per diluted share. The total includes pre-tax charges from the acquisition of Ebuys, which is another footwear retailer.

"This quarter reflects the first step in our return to year-over-year earnings growth," CEO Roger Rawlins said "After four consecutive declines, we reported a 16% increase in Adjusted Earnings Per Share this quarter."

"Tighter inventory management drove improvements in gross margin which, combined with effective expense management, resulted in an increase in net income," he continued. "We've reduced clearance markdowns and we are positioned to generate more profitable sales in the holiday season."

Governor's Appointment

Northeast Ohio Medical University Board of Trustees: E. Douglas Beach of Northfield (Summit Co.) for a term beginning Nov. 22 and ending Sept. 21, 2024.

Attorney General's Opinion

No. 2016-037. Requested by Athens County Prosecuting Attorney Keller J. Blackburn.
SYLLABUS:

1. A secret service officer appointed pursuant to R.C. 309.07 may serve as a member of a board of township trustees, provided that in his capacity as a township trustee he refrains from participating in any discussions, deliberations, negotiations, or votes under R.C. 309.09(B) to retain legal counsel other than the prosecuting attorney to advise or represent the township, and in his capacity as a secret service officer he shall not be permitted or required to conduct any criminal investigatory activities or functions in connection with criminal charges that may be brought by the prosecuting attorney or other prosecuting authority against officers or employees of the township.

2. A legal secretary appointed pursuant to R.C. 309.06 may serve as a member of a board of township trustees, provided that in her capacity as a township trustee she refrains from participating in any discussions, deliberations, negotiations, or votes under R.C. 309.09(B) to retain legal counsel other than the prosecuting attorney to advise or represent the township.

Supplemental Agency Calendar

Tuesday, November 29

Power Siting Board, Rm. 11B, 180 E. Broad St., Columbus, 3:30 p.m.

Wednesday, November 30

Aerospace & Aviation Technology Committee, Rm. 122, Statehouse, Columbus, 9:30 a.m.

Public Utilities Commission of Ohio, 180 E. Broad St., 11th Fl., Columbus, 1:30 p.m.

Supplemental Event Planner

Monday, November 28

Auditor of State Dave Yost media availability on open enrollment, Auditor of State Ceremonial Office, Statehouse, Columbus, 2 p.m.

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Scott Miller, President | Alan Miller, Vice President | Kent Cahlander, Editor | Melissa Dilley, Mike Livingston, Dustin Ensinger, Jon Reed, Staff Writers

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Daily Activity Planner for Wednesday, November 23

Legislative Committees

No legislative committees scheduled.

Agency Calendar

No agency meetings scheduled.

Event Planner

No events scheduled.

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